

10675. Also, petition of the City Commission of the City of Pontiac, Mich., favoring the recognition of the memory of Brig. Gen. Thaddeus Kosciuszko by the issuing of a special series of postage stamps; to the Committee on the Post Office and Post Roads.

10676. Also, petition of the Woman's Home Missionary Society, Stockbridge, Mich., advocating a law establishing a Federal motion-picture commission, etc.; to the Committee on Interstate and Foreign Commerce.

10677. Also, petition of 42 residents of Grand Ledge and Lansing, Mich., protesting against the repeal of the eighteenth amendment; to the Committee on the Judiciary.

10678. Also, petition of 97 residents of Detroit, Mich., protesting against House bill 13742, the beer bill; to the Committee on Ways and Means.

10679. By Mr. SINCLAIR: Petition of the Senate of the State of North Dakota, favoring the enactment of House bills 20 and 21 to raise and stabilize the commodity price level; to the Committee on Banking and Currency.

10680. By Mr. SUTPHIN: Petition of the Manufacturers Club of Bloomfield, N. J., urging the balancing of the Budget; to the Committee on Ways and Means.

10681. By Mr. WATSON: Petition of Mrs. B. Hartman, with 26 other signatures, residents of Bucks County, Pa., urging the elimination of aliens in making future apportionments for congressional districts; to the Committee on the Judiciary.

SENATE

SATURDAY, FEBRUARY 25, 1933

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Eternal Father, in whose hands are life and death, by whose power we are sustained, by whose mercy we are spared, we thank Thee for the endless renewing of life in the divine ordering of this wondrous world, for Thou art never weary in releasing us from the bonds wherewith we have bound ourselves. Help us, therefore, to walk in this new day free from the bondage of fear, and as Thou hast committed unto us our work so would we commit our care unto Thee. Open our eyes that we may receive new light, our ears that we may hear the voice of Thy love, speak peace unto our hearts that we may gain the victory o'er the things that press us down and o'er the flesh that doth so often encumber us, that we may hope all things and endure all things as messengers of Thy healing mercy to this troubled and distracted world. We ask it in the name of Him who is our peace, Jesus Christ our Lord. Amen.

Mr. FESS. Mr. President, I ask unanimous consent for the approval of the Journal for the calendar days of Thursday and Friday, February 23 and 24, 1933.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Carey	Harrison	Moses
Austin	Clark	Hastings	Neely
Bailey	Coolidge	Hatfield	Norbeck
Bankhead	Copeland	Hayden	Norris
Barbour	Costigan	Hebert	Nye
Barkley	Couzens	Johnson	Oddie
Bingham	Dale	Kean	Patterson
Black	Dickinson	Kendrick	Pittman
Blaine	Dill	Keyes	Reed
Borah	Fess	King	Reynolds
Bratton	Fletcher	La Follette	Robinson, Ark.
Brookhart	Frazier	Lewis	Robinson, Ind.
Broussard	George	Logan	Russell
Bulkley	Glass	Long	Schuyler
Bulow	Glenn	McGill	Sheppard
Byrnes	Gore	McKellar	Shortridge
Capper	Grammer	McNary	Smith
Caraway	Hale	Metcalf	Smoot

Steiwer	Thomas, Okla.	Tydings	Watson
Stephens	Townsend	Vandenberg	Wheeler
Thomas, Idaho	Trammell	Walsh, Mass.	White

Mr. NORRIS. I wish to announce that my colleague [Mr. HOWELL] is absent from the Senate because of illness.

Mr. BLAINE. I wish to announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is unavoidably absent owing to illness.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 14395) relating to the prescribing of medicinal liquor, in which it requested the concurrence of the Senate.

The message also announced that the House had rejected, by striking out the enacting clause thereof, the bill (S. 417) to provide a government for American Samoa.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 14562) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1934, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 88) to authorize the Postmaster General to investigate the conditions of the lease of the post-office garage in Boston, Mass., and to readjust the terms thereof.

The message returned to the Senate, in compliance with its request, the joint resolution (S. J. Res. 223) establishing the United States Georgia Bicentennial Commission, and for other purposes, with the accompanying papers.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1044. An act authorizing the issuance to Cassie E. Howard of a patent for certain lands;

S. 2148. An act for the relief of Clarence R. Killion;

S. 2259. An act for the relief of Mathie Belsvig;

S. 4286. An act to authorize credit in the disbursing account of Donna M. Davis; and

S. 4287. An act for the relief of Harold W. Merrin.

AMENDMENT OF BANKRUPTCY ACT

Mr. BLAINE. Mr. President, on page 4912 of the RECORD of Friday, February 24, in the first column, I find the following:

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin to the amendment of the committee.

On a division, the amendment to the amendment was rejected.

Following that announcement, this statement appears:

Mr. BLAINE. Mr. President, I send to the desk an amendment which I shall propose to the pending bill and ask that it be printed and lie upon the table.

I was not advised of the error in time to make the correction in the stenographic report of the proceedings yesterday. I want to correct the RECORD to the effect that while the Senator from Nebraska [Mr. NORRIS] had the floor he yielded to me to present the amendment which I sent to the desk and which I proposed or said I would propose as an amendment to the pending bill, and I asked that it be printed and lie upon the table. The Senator from Nebraska had the floor and yielded. I was immediately called from the Chamber and, evidently in the confusion that existed upon the floor and the general disorder, action upon the amendment which I had offered at an earlier date is shown to have taken place while I was present. I could not have been present at the time, because I was absent from the time I said I would propose an amendment, which I sent to the desk to be printed, through the kindness of the Senator from Nebraska in yielding to me for that purpose.

My only purpose in making the correction is to move a reconsideration of the vote by which the amendment to the amendment, as announced by the Presiding Officer, was rejected. I enter a notice of my intention to make a motion to reconsider the vote by which the amendment to the amendment was rejected.

The VICE PRESIDENT. The motion to reconsider will be entered.

ORDER OF BUSINESS

Mr. McNARY. Mr. President, I propose the following unanimous-consent agreement and ask for its present consideration.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The CHIEF CLERK. The Senator from Oregon proposes the following unanimous-consent agreement:

Ordered, by unanimous consent, That the Senate proceed to the consideration of unobjected bills on the Calendar, subject to the 5-minute rule, beginning with Order No. 1214, and after completing the call that the Senate then proceed with the call at the beginning for unobjected bills.

The VICE PRESIDENT. Is there objection?

Mr. ROBINSON of Arkansas. Mr. President, I have no objection.

THE PETROLEUM INDUSTRY

Mr. THOMAS of Oklahoma. Mr. President, I have a resolution on the table which I desire to call up. I think it will take no particular time to dispose of it, but I should like to have a chance to have the resolution considered.

Mr. McNARY. I did not understand the statement of the Senator.

Mr. THOMAS of Oklahoma. I say I have on the table Senate Resolution 339, which is a resolution referring some data to the Federal Trade Commission for examination and report back to the Senate. It calls for no appropriation and only for information. It relates to the running of illegal oil in the flush oil fields of the West, including Oklahoma, Texas, and western California.

Mr. MOSES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MOSES. Has the routine morning business been concluded?

The VICE PRESIDENT. It has not; it is just beginning.

Mr. MOSES. Then may I suggest to the Senator from Oklahoma that, under the routine morning business, his being a resolution coming over from a previous day, it would be in order?

Mr. McNARY. Mr. President, the Senator from New Hampshire is not conversant, I think, with the nature of the request. I am asking immediately to proceed to the consideration of unobjected bills on the calendar.

Mr. MOSES. Immediately?

Mr. McNARY. Yes.

The VICE PRESIDENT. Is there objection?

Mr. THOMAS of Oklahoma. If I can have the resolution to which I have referred considered for just a moment, I shall have no objection.

The VICE PRESIDENT. Will the Senator from Oregon yield so that the resolution referred to by the Senator from Oklahoma may be read to ascertain whether or not there is objection?

Mr. McNARY. Yes; I yield.

The VICE PRESIDENT. Let the resolution be read.

Mr. FLETCHER. Mr. President, may we not have the regular morning procedure? Can we not proceed with the presentation of petitions and the introduction of bills and joint resolutions, and so forth?

Mr. McNARY. My object is simply this: There are a number of Senate bills on the calendar which if passed to-day will be messaged over to the House and an opportunity will be afforded to have them brought up for consideration on the Union Calendar of the House on Monday next, which will be the last opportunity for the consideration of such bills. Hence I ask that the morning be not entirely taken up with routine morning business but that we may proceed immediately to the consideration of the calendar.

The request is made in the interest of the expedition of legislation and to accommodate most of the Members of the Senate.

Mr. FLETCHER. I should like to see that done.

The VICE PRESIDENT. The resolution referred to by the Senator from Oklahoma will be read.

The Chief Clerk read the resolution, Senate Resolution 339, submitted by Mr. THOMAS of Oklahoma on January 20, 1933, as follows:

Resolved, That since Federal tax receipts will be decreased, balancing the Budget made more difficult, and a valuable and irreplaceable natural resource may be wasted by the impending demoralization of the American petroleum industry, the Federal Trade Commission is hereby directed to report at once to the Senate of the United States the fullest information now in their possession covering the following-named topics and to further investigate and report at the earliest possible time to the Senate of the United States, if it is then in session, or to the Senate Committee on the Judiciary, if the Senate is not in session, in which case the Committee on the Judiciary shall make such report a public document at once that it may be available for use of Members of the Senate:

- (1) The cause of the recent cut in the price of petroleum and petroleum products;
- (2) The reason for the drop in crude-oil prices in 1931;
- (3) The explanations of fluctuations in the price of petroleum products contrary to the normal operation of the laws of supply and demand;
- (4) The base which determines the price paid the producer of petroleum and the ultimate price paid by the consumer of petroleum products and their relation;
- (5) Whether the price of petroleum or petroleum products is determined by any corporation or group of corporations;
- (6) Whether any groups through their evasion of State regulatory laws are tending to develop a monopoly in petroleum products;
- (7) Whether any companies or corporations engaging in interstate business are requiring the repayment of loans by delivery of petroleum at rates fixed below their own posted prices or below the market price, thus breaking that market price and demoralizing the industry;
- (8) Whether any person, persons, or corporation is guilty of purchasing, transporting, or disposing of petroleum or petroleum products produced or acquired in violation of State regulatory laws; and
- (9) Whether unfair competition is being made possible by unfair charges on transporting petroleum or its products or in any process of refining or distributing them, enabling any corporation to enjoy an improper advantage over competitors who are not guilty of such practices.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. ROBINSON of Arkansas. Mr. President, may I make a suggestion to the Senator from Oklahoma?

Mr. THOMAS of Oklahoma. Certainly.

Mr. ROBINSON of Arkansas. I suggest that the declaration in the beginning of the resolution in the nature of a preamble be stricken out, including all the language after the word "That," in line 1, down to and including the word "industry" and the comma in line 5, page 1, so that the resolution will be directory without the preliminaries.

Mr. THOMAS of Oklahoma. That is satisfactory to me, Mr. President.

The VICE PRESIDENT. The Senator from Oklahoma modifies his resolution. Is there objection to the resolution as modified?

Mr. McNARY. I have no objection.

Mr. THOMAS of Oklahoma. Mr. President, before the resolution is acted upon I ask permission to submit a statement following the printing of the resolution and likewise to submit a number of letters—

The VICE PRESIDENT. Just a moment. The resolution has not been agreed to. Is there objection? The Chair hears none.

The resolution as modified was agreed to as follows:

Senate Resolution 339

Resolved, That the Federal Trade Commission is hereby directed to report at once to the Senate of the United States the fullest information now in their possession covering the following-named topics and to further investigate and report at the earliest possible time to the Senate of the United States, if it is then in session, or to the Senate Committee on the Judiciary if the Senate is not in session, in which case the Committee on the Judiciary shall make such report a public document at once that it may be available for use of Members of the Senate:

- (1) The cause of the recent cut in the price of petroleum and petroleum products;
- (2) The reason for the drop in crude-oil prices in 1931;
- (3) The explanations of fluctuations in the price of petroleum products contrary to the normal operation of the laws of supply and demand;
- (4) The base which determines the price paid the producer of petroleum and the ultimate price paid by the consumer of petroleum products and their relation;
- (5) Whether the price of petroleum or petroleum products is determined by any corporation or group of corporations;
- (6) Whether any groups through their evasion of State regulatory laws are tending to develop a monopoly in petroleum products;
- (7) Whether any companies or corporations engaging in interstate business are requiring the repayment of loans by delivery of petroleum at rates fixed below their own posted prices or below the market price, thus breaking that market price and demoralizing the industry;
- (8) Whether any person, persons, or corporation is guilty of purchasing, transporting, or disposing of petroleum or petroleum products produced or acquired in violation of State regulatory laws; and
- (9) Whether unfair competition is being made possible by unfair charges on transporting petroleum or its products or in any process of refining or distributing them, enabling any corporation to enjoy an improper advantage over competitors who are not guilty of such practices.

Mr. THOMAS of Oklahoma. Mr. President, I ask permission to insert at this point in the RECORD a statement explaining briefly the purpose of the resolution, and I also submit a number of affidavits and letters and photostatic copies of data to accompany the resolution and to be transmitted to the Federal Trade Commission.

The VICE PRESIDENT. Without objection, the statement will be printed in the RECORD, and the material referred to by the Senator will be transmitted to the Federal Trade Commission.

The statement referred to is as follows:

The indictment and punishment of any who are guilty of deliberately wrecking the American petroleum industry through unjustified price cuts just when it was leading the way back to prosperity should be expedited by the passage of this resolution authorizing the Federal Trade Commission to thoroughly investigate this question. Regardless of how high placed or how wealthy the guilty persons might be, such an investigation should neither be postponed nor avoided. No alien enemy in time of war could have done so much damage to the welfare of the whole American people or could have blotted out so much wealth as was done by the unwarranted slash in petroleum prices at the dictates of some unrevealed authority.

The Federal Government has both an interest in this investigation and a duty to further it. Those reasons may be briefly enumerated thus:

- (1) Income-tax receipts growing out of the American petroleum industry will be diminished by enormous sums through the practical ruin of hundreds of operators and by the serious losses suffered by still more because of this movement by which they have been forced to sell their oil at less than actual production costs.
- (2) The Federal income from corporation taxes will be equally reduced by the serious losses suffered by companies engaged in the production of petroleum.
- (3) Federal receipts from pipe-line taxes may have been seriously affected by the clandestine transportation of oil produced in violation of State regulation without proper reports being made as a basis for taxation.
- (4) The many Federal interests involved in the interstate commerce in petroleum and its products demand that the United States Government should ascertain the facts in order that any guilty of such violations might be properly prosecuted.
- (5) The antitrust laws forbid combinations in restraint of trade such as seem probable in this united movement to eliminate large groups of petroleum producers to the advantage of those having the power to determine the price at which they purchase oil and also the price at which they sell its refined products.
- (6) Should the evidence show a conspiracy on the part of any group or groups responsible for slashing the price of petroleum, for encouraging tax evasion, or for practically subsidizing the evasion of State laws to the damage of Federal tax receipts, indictments under the conspiracy act should be made possible through transmission of this evidence to the Department of Justice and the appropriate authorities.
- (7) The Treasury Department should be provided with all the data covering the first three items in this list, embracing the effect of income-tax payments, corporation-tax payments, and pipe-line levies in order that, should there be presumptive evidence of guilt, fullest information might be given to the Department of Justice in order that proper criminal action might be taken.
- (8) Evidence indicating violations of various acts governing interstate commerce should be referred to the Interstate Com-

merce Commission for its study and report to the Department of Justice.

(9) The Department of Justice should be requested to enter prosecutions if sufficient evidence is found to justify such action in regard to any violations of the laws previously mentioned and especially to prosecute under the conspiracy act any who have been guilty of entering any conspiracy whose result would be to affect Federal tax receipts, or to violate either interstate commerce laws or the provisions of the antitrust acts.

No additional appropriation should be required at present to accomplish a preliminary investigation. The Federal Trade Commission should be able to obtain from the States of Texas and Oklahoma the facts which have been revealed in those States by official investigation. The Federal Trade Commission also probably possesses already much information in regard to previous combinations in restraint of trade or to artificially depress prices of petroleum products. That information should be collated with data obtained from the Texas and Oklahoma investigations. If additional and more detailed inquiry should be necessary, the Federal Trade Commission may report to the coming special session of the Congress when a supplemental appropriation might be given proper consideration.

Since responsible persons in the petroleum industry and reputable newspapers are publicly alleging the truth of these charges, a positive duty rests upon the Federal Government in making such an investigation as will establish their truth or falsity and determine whether one of the basic industries of the Nation is being deliberately wrecked for the enrichment of a few people and whether the Federal revenues are being further depleted at the very time when the stability of our credit depends upon our securing sufficient revenue to carry on necessary governmental activities.

PETITIONS AND MEMORIALS

Mr. BLAINE presented a resolution adopted by the Eau Claire County Farmers Union and National Holiday Association, Fall Creek, Wis., favoring the repeal of the Federal reserve act and the passage of legislation for the coinage of new full legal-tender money in sufficient amount to pay the soldiers, finance Federal improvements, and to refinance agriculture, and also favoring the full payment of foreign debts owed to the United States, which was referred to the Committee on Banking and Currency.

Mr. KEAN presented a resolution adopted by the council of the borough of South River, N. J., protesting against any Federal taxation which imposes, or may be interpreted as imposing, a burden upon States, State agencies, and/or publicly owned utilities, which was referred to the Committee on Finance.

Mr. ASHURST presented a resolution of the Arizona Cattle Growers' Association, favoring the waiver by the Secretary of Agriculture of the first half of the 1933 grazing fees in the national forests, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Arizona Cattle Growers' Association, favoring increase in the maximum loan limit of the Federal land banks to \$100,000, and the authorization of loans to corporations as well as to individuals or partnerships, which was referred to the Committee on Banking and Currency.

He also presented a resolution of the Arizona Cattle Growers' Association, favoring the passage of legislation to authorize the Reconstruction Finance Corporation, through its regional agricultural credit corporations, to allow 10-year loans on an amortization plan to livestock producers, which was referred to the Committee on Banking and Currency.

He also presented a resolution of the Arizona Cattle Growers' Association, favoring the maintenance of the present tariff duty on livestock and livestock products, excepting hides, the duty on hides to be increased to a basis of at least 6 cents per pound on green hides, which was referred to the Committee on Finance.

He also presented a resolution of the Arizona Cattle Growers' Association, indorsing house bill No. 174 of the Arizona Legislature, providing for the creation of a copper tariff board and the making of an appropriation to defray the expenses thereof, which was referred to the Committee on Finance.

He also presented a resolution of the Arizona Cattle Growers' Association, in opposition to a bill introduced in the Legislature of Arizona, proposing to place a tax on all margarine, which was referred to the Committee on Finance.

BONDS AND DEBTS OF MUNICIPALITIES

Mr. BARBOUR. Mr. President, I ask unanimous consent for the printing in full in the RECORD and appropriate reference of the resolution adopted by the Board of Commissioners of the city of Camden, N. J., urging enactment of legislation to permit the Reconstruction Finance Corporation to make loans to municipalities and to permit cities to refinance their present bonded debts at lower rates of interest.

There being no objection, the resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Be it resolved by the Board of Commissioners of the city of Camden, N. J., That the Congress of the United States be requested, by proper national legislation, to permit a moratorium on municipal bonds and debts; And be it further

Resolved, That said Congress further be requested to pass such legislation as may be necessary, to permit the Reconstruction Finance Corporation to loan moneys to municipalities and permit cities to refinance their present bonded debts at lower rates of interest; And be it further

Resolved, That copies of these resolutions, signed by the city clerk certifying to their adoption by the city commissioners on this date, be sent to the Clerk of the House of Representatives, the clerk of the United States Senate, our Congressman, our United States Senator, and to our senator and assemblymen of this county.

CITY CLERK'S OFFICE,
Camden, N. J.

I, F. S. Albright, city clerk of Camden, N. J., do hereby certify that the foregoing is a true copy of resolution passed by the Board of Commissioners of Camden, N. J., the 23d day of February, A. D. 1933, as taken from and compared with the original now on file in my office.

In testimony whereof, I have hereunto set my hand and seal of the city of Camden, at Camden, this 23d day of February, A. D. 1933.

[SEAL.]

F. S. ALBRIGHT, City Clerk.

ANNIVERSARY OF GENERAL KOSCIUSKO

Mr. BARBOUR. Mr. President, I ask unanimous consent for printing in full in the RECORD and appropriate reference of the resolution adopted by the board of commissioners of the city of Camden, N. J., urging the issuance of a special series of 3-cent postage stamps commemorating the one hundred and fiftieth anniversary of the naturalization as an American citizen and appointment of Thaddeus Kosciusko as brevet brigadier general of the Continental Army on October 13, 1783.

There being no objection, the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Whereas on October 13, 1933, will occur the one hundred and fiftieth anniversary of the naturalization as an American citizen of Brig. Gen. Thaddeus Kosciusko, a hero of the Revolutionary War; and

Whereas the service rendered by him was of great value and assistance to the cause of American independence and of such high importance that on October 13, 1783, he was appointed brevet brigadier general of the Continental Army and was granted naturalization as an American citizen; and

Whereas it is but fitting that proper recognition should be given to the memory of Brig. Gen. Thaddeus Kosciusko, whose illustrious service in the war for American independence is well known to all who are familiar with our history: Therefore be it

Resolved by the Board of Commissioners of the City of Camden, N. J., and the Board of Commissioners of the City of Camden, N. J., hereby respectfully requests and urges Congress to authorize the issuance of a special series of postage stamps of the denomination of 3 cents, of such design and for such period as it may determine, commemorative of the one hundred and fiftieth anniversary of the naturalization as an American citizen and appointment of Thaddeus Kosciusko, as brevet general of the Continental Army on October 13, 1783; and be it further

Resolved, That a copy of this resolution be sent to the Representative in Congress from the first district of New Jersey and to the two United States Senators from New Jersey.

CITY CLERK'S OFFICE,
Camden, N. J.

I, F. S. Albright, city clerk of Camden, N. J., do hereby certify that the foregoing is a true copy of resolution passed by the Board of Commissioners of Camden, N. J., the 23d day of February, A. D. 1933, as taken from and compared with the original now on file in my office.

In testimony whereof I have hereunto set my hand and seal of the city of Camden, at Camden, this 23d day of February, A. D. 1933.

[SEAL.]

F. S. ALBRIGHT, City Clerk.

REMONETIZATION OF SILVER

Mr. WHEELER presented a resolution of the Miles City (Mont.) Trades and Labor Council, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

A memorial "memorializing the President and Congress of the United States to enact into law Senate bill 2487, known as the Wheeler bill."

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the members of the Twenty-third Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent as follows:

Whereas the people of this State, this Nation, and the world in general are struggling to maintain themselves, retain their property and business and meet their private and public obligations under the heavy and increasing burdens of steadily falling commodity prices, with consequent unemployment and other forms of hardship and distress; and

Whereas the various efforts that have been made to restore prosperity and confidence, apparently based on the thesis that relief of special groups would relieve all other groups also, and that forced expansion of credit would raise commodity prices, have either failed or proved inadequate; and

Whereas it is our belief that the Wheeler bill will do more to relieve the deplorable condition that our country is in: Therefore be it

Resolved by the Miles City Trades and Labor Council, That we indorse the Wheeler bill and earnestly recommend its passage to the President and Congress of the United States.

REVIEW OF DISABILITY-ALLOWANCE CLAIMS

Mr. FLETCHER. Mr. President, in the Washington Post of to-day there appears an article having reference to the action taken by Gen. Frank T. Hines, Administrator of Veterans' Affairs, in directing that all disability-allowance claims be reviewed.

As further information on this controversial subject I request leave to have printed and appropriately referred, following these remarks, a letter addressed to me several days ago by Administrator Hines.

There being no objection, the letter was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

VETERANS' ADMINISTRATION,
Washington, February 14, 1933.

HON. DUNCAN U. FLETCHER,

United States Senate, Washington, D. C.

MY DEAR SENATOR FLETCHER: This has reference to your telephonic communication of February 13, 1933, and is in response to your inquiries relating to the review of disability-allowance claims which is now being conducted.

On December 1, 1932, there was initiated, by administrative order, a review by the Veterans' Administration of awarded claims for disability allowance in order to place into effect standards for disability evaluation presently in use in the adjudication of such claims. The review now in progress was undertaken, according to the legal warrant conferred by section 5 of the World War veterans' act, 1924, as amended, which provides in effect that for the purpose of administering, executing, and enforcing the provisions of the act the director (administrator) shall have full power and authority to make such rulings and regulations as are necessary or proper not inconsistent with the other provisions of the act. It is also specified by that section that regulations and provisions may be made for the nature and extent of proofs and evidence, as well as for the determination of methods for investigations, medical examinations, adjudications, and awards.

In the matter of your reference, generally, to the review of claims now being conducted it is felt that in the way of explanation of the reasons for having instituted the review it will be in order to discuss briefly the history of disability allowance and the problems which confronted the administration in the adjudication of disability-allowance claims. Thousands upon thousands of claims were presented for consideration immediately after the enactment of the amendatory act of July 3, 1930, and the necessity to secure prompt relief for veterans entitled thereto was immediately apparent; it was then obvious that if relief were to be afforded promptly it could be done only by means of the most expeditious adjudication of claims. Accordingly ratings were based upon medical data contained in reports of examinations which were of record and which had been, in some instances, secured months previously. Further, in the sole interest of dispatch, there were adopted standards for disability evaluation which were more flexible perhaps than were justified by the experience of the administration, and the most elastic definition of permanency of disability was permitted to be used. It was then accepted that a permanent disability would be held to exist whenever there was present in any case a disability because of disease or injury which was reasonably certain to continue unimproved for an indefinite period. By force of necessity it was not possible to take into account any question of probable lack of continuity or perma-

nency of disabling conditions, but adjudications were based upon diagnoses and disability estimates previously made.

The necessity for the eventual adoption of more fixed evaluative standards and definitions of permanency of disability was recognized by the administration at the time the expedient measures were temporarily resorted to, and it was then intended that as soon as the circumstances should permit a general review of awarded claims would be undertaken in order to place into effect criteria for rating which would be in consonance with the experience acquired by the administration following the passage of the amendatory act of July 3, 1930. At this time over 95 per cent of claims have been adjudicated, and it may be said that practical results have justified the previous conclusions of the administration in respect to the necessity for the ultimate reconsideration of claims. Numerous claims which have been reviewed in regular course of adjudication have demonstrated that in many instances disabling conditions initially considered to be permanent were not in fact so, and that in some instances diseases or injuries have been found to be no longer present, or to have improved to an extent which has warranted reduction or discontinuance of awards. Paragraph 2 of section 200 of the act is held to warrant the rule for permanency which is now in effect, namely, that a permanent disability will be taken to exist when there is present a disability which, it is reasonably certain, will continue unimproved throughout the claimant's life. It is upon that definition of permanency that all adjudications of disability-allowance claims are now made.

In consideration of your reference to the adjudication of claims pursuant to the review without reexamination of the veteran concerned, it is desired to assure you that it is the intention of the administrative order which initiated the review (a copy of which issue is inclosed for your information) that awards will not be discontinued in any case where the available evidence is not entirely adequate to support the action taken. In that direct connection your attention is invited to paragraph 5 of the inclosed issue. You will observe that it has been provided that reexaminations are expected to be secured in any case where examination reports of record are clearly inadequate and where reexamination is considered to be essential to further adjudication of the claim; that is to say, where it is considered that the data of record are insufficient to satisfactorily portray the physical condition of the veteran and to enable accurate estimation of the extent of disability in any instance. The other provisions to which the letter of December 1, 1932, refers relate to cases wherein it is apparent that the application of presently effective standards for disability evaluation to conditions which are satisfactorily described will result in either increased or decreased disability ratings.

In the further matter of the questioned propriety of reduction of awards without reexamination it is believed that you will appreciate that the application of the rating principles now approved in presently effective regulations makes it necessary that the need for reexamination be determined according to the facts of individual cases, and it may be said at this point that it is expected that the officials and agencies of the administration, whose responsibility it is to conduct the review of claims, may be relied upon to exercise sound judgment and discretion in making the determinations required of them. It is not anticipated that reductions without examination will be accomplished unless (1) the file clearly indicates that a condition which qualifies under the early rule for determining permanence, "reasonably certain to continue unimproved for an indefinite period" fails to qualify under the present rule, "reasonably certain to continue unimproved throughout the veteran's life," particularly with respect to those conditions which are susceptible to operative intervention; (2) the file definitely indicates that a disability in question can not qualify for a 25 per cent, 50 per cent, 75 per cent, or permanent total rating under the evaluative regulations now in effect and which were adopted after earlier regulations were shown to be too elastic, especially so far as 25 per cent, 50 per cent, 75 per cent, and permanent total ratings had been developed by the use of less than 10 per cent ratings, applied to conditions which for the most part had heretofore not been definitely evaluated.

In providing for the review every precaution has been observed in the protection of the rights of veterans whose claims will be effected. The review will follow the order in which awards were approved, and it is intended that claims will not be adjudicated without reexamination except where sufficient medical data is of record to permit adjudication. The right of any veteran to secure appeal of his claim or to have reconsideration of his claim, to which the present policies of the administration entitle him, will be in no wise jeopardized by the review. Further, in order to provide a stay of adjudication to permit sufficient opportunity for the submittal of additional evidence on the part of veterans and as an added safeguard to the rights of veterans now provided, the field offices have been instructed to discontinue no award pursuant to the review before the first of the second calendar month succeeding the month in which the termination is approved.

The attitude of veterans who are denied disability allowance is sympathetically appreciated, and you are assured that the administration is fully aware of the hardships which will follow the reduction of awards in some instances. The review of claims which is now under way, as well as such reviews of disability-allowance claims as have been conducted in the past, must be held to be warranted as a matter of sound administration, upon the proposition that it is in the interest both of the veterans concerned and of the Government to review claims whenever it may be necessary to see to it that the basic law and interpretations thereof are properly administered. Reconsiderations of individual disability-allowance claims have been had in the routine

of adjudication as they may come to the attention of the field offices of the administration, either through the presentation of additional evidence or in other proper manner, and it is therefore proper to say that the review now under discussion constitutes no departure from established policy affecting the basic rights of beneficiaries concerned, and that it is in no sense unusual or extraordinary.

In conclusion it is desired to assure you that it is the intention of the administration that no veteran who is found to have a permanent disability of 25 per cent or more and who meets the other requirements of the law need entertain any fear regarding the continuation of disability allowance to which he is entitled.

Very truly yours,

FRANK T. HINES, Administrator.

REPORTS OF COMMITTEES

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 10124) for the relief of A. Zappone, disbursing clerk, United States Department of Agriculture, reported it without amendment and submitted a report (No. 1301) thereon.

Mr. JOHNSON, from the Committee on Commerce, to which was referred the bill (S. 5651) to amend sections 361, 392, 406, 407, 408, 409, 410, 411, and 412 of the United States Code, relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof, reported it with an amendment and submitted a report (No. 1302) thereon.

Mr. LOGAN, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 5367. An act for the relief of Jerry V. Crane (Rept. No. 1303);

H. R. 7167. An act for the relief of Stuart L. Ritz (Rept. No. 1304); and

H. R. 11980. An act authorizing the President to make a posthumous award of a distinguished-flying cross to Glenn H. Curtiss, deceased, and to present the same to Lua Curtiss, mother of the said Glenn H. Curtiss, deceased (Rept. No. 1305).

Mr. DICKINSON, from the Committee on Military Affairs, to which was referred the bill (S. 2167) for the relief of Robert J. Foster, reported it with amendments and submitted a report (No. 1308) thereon.

Mr. CAREY, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 2803. An act for the relief of John S. Stotts, deceased (Rept. No. 1309); and

H. R. 7174. An act for the relief of James J. Meaney (Rept. No. 1310).

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (H. R. 12328) to authorize the assignment of awards entered by the Mixed Claims Commission, United States and Germany, the Tripartite Claims Commission, and the War Claims Arbitrator, reported it without amendment and submitted a report (No. 1306) thereon.

Mr. SHORTRIDGE, from the Committee on Appropriations (as an ex officio member thereof), to which was referred the bill (H. R. 14724) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1934, and for other purposes, reported it with amendments and submitted a report (No. 1307) thereon.

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 637) to relinquish the title of the United States to certain lands in the county of Los Angeles, State of California, reported it with an amendment and submitted a report (No. 1311) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 189. An act to add certain lands to the Modoc National Forest, in the State of California (Rept. No. 1312);

H. R. 6484. An act to grant lands in Alaska to the Yakutat & Southern Railway, a Washington corporation authorized to carry on its business in the Territory of Alaska (Rept. No. 1313);

H. R. 10756. An act for the relief of Clive Sprouse and Robert F. Moore (Rept. No. 1314);

H. R. 11242. An act to relinquish the title of the United States in and to lands in Rapides Parish, State of Louisiana (Rept. No. 1315); and

H. R. 12126. An act to add certain lands to the Gunnison National Forest, Colo. (Rept. No. 1316).

LAKE ODDIE

Mr. KENDRICK, from the Committee on Public Lands and Surveys, reported a bill (S. 5693) giving the name Lake Oddie to the body of water resulting from the construction of Hoover Dam, which was read twice by its title, and ordered to be placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. AUSTIN:

A bill (S. 5691) to amend section 337 of the tariff act of 1930; to the Committee on Finance.

By Mr. ROBINSON of Indiana:

A bill (S. 5692) to provide for the donation of certain Army equipment to posts of the American Legion; to the Committee on Military Affairs.

By Mr. CAPPER:

A joint resolution (S. J. Res. 258) to change the name of B Street SW., in the District of Columbia; to the Committee on the District of Columbia.

HOUSE BILL REFERRED

The bill (H. R. 14395) relating to the prescribing of medicinal liquors, was read twice by its title and referred to the Committee on the Judiciary.

PURCHASE OF ALLOTMENTS OF DECEASED INDIANS—AMENDMENTS

Mr. FRAZIER submitted amendments intended to be proposed by him to the bill (S. 5483) authorizing the Secretary of the Interior, in behalf of Indians, to purchase the allotments of deceased Indians, and for other purposes, which were ordered to lie on the table and to be printed.

LEASING OF AGRICULTURAL LANDS—AMENDMENT

Mr. BANKHEAD submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (H. R. 13991) to aid agriculture and relieve the existing national economic emergency, which was ordered to lie on the table and to be printed.

AMENDMENT TO SECOND DEFICIENCY APPROPRIATION BILL

Mr. WHEELER submitted an amendment intended to be proposed by him to House bill 14769, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 15, after line 4, to insert the following:

"Protection of interests of the United States in matters affecting oil lands in former naval reserves: For an additional amount for expenses of special counsel and for all other expenses, including employment of experts and other assistants at such rates as may be authorized or approved by the President, in connection with carrying into effect the joint resolution directing the Secretary of the Interior to institute proceedings touching sections 16 and 36, township 30 south, range 23 east, Mount Diablo meridian, approved February 21, 1924 (43 Stat. 15), fiscal year 1932, \$17,000 to be expended by the President."

GLADYCE W. SIMMONS

Mr. NORRIS. Mr. President, I desire unanimous consent to submit a resolution and have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate. It is a resolution of my colleague [Mr. HOWELL] who is detained from the Senate by illness, and I am submitting it at his request.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution will be received and appropriately referred.

The resolution (S. Res. 372) was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1932, to Gladyce W. Simmons, daughter of Samuel B. Weil, late a messenger of the Senate under supervision of the Sergeant at Arms, a sum

equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

HEARINGS BEFORE THE COMMITTEE ON BANKING AND CURRENCY, SEVENTY-THIRD CONGRESS

Mr. FLETCHER, by unanimous consent, submitted the following resolution (S. Res. 373), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Banking and Currency, or any subcommittee thereof, hereby is authorized to sit during the sessions, recesses, and adjourned periods of the Seventy-third Congress at such times and places as it may deem advisable, to make investigations into all matters within its jurisdiction, and to compile and prepare statistics and documents relating thereto as directed from time to time by the Senate and as may be necessary, and to report in due course to the Senate the result thereof, to send for persons, books and papers, to administer oaths, and to employ such expert, stenographic, clerical, and other assistance as may be necessary; and all of the expenses incurred in pursuance hereof shall be paid from the contingent fund of the Senate; and the committee is authorized to order such printing and binding as may be necessary for its use.

UNITED STATES GEORGIA BICENTENNIAL COMMISSION

The PRESIDENT pro tempore. The Chair lays before the Senate the joint resolution (S. J. Res. 223) establishing the United States Georgia Bicentennial Commission, and for other purposes, returned from the House of Representatives on the request of the Senate.

Mr. GEORGE. I move that the Senate reconsider its action disagreeing to the amendment of the House of Representatives to the joint resolution and requesting a conference with the House on the disagreeing votes of the two Houses thereon.

The motion to reconsider was agreed to.

Mr. GEORGE. I now move that the Senate agree to the amendment of the House to the joint resolution.

The motion was agreed to.

UNVEILING OF A CANVAS ON THE WALL

Mr. THOMAS. Mr. President, I ask leave to have printed in the RECORD an address by John A. Simpson, president of the National Farmers' Union, delivered to-day over a network of the National Broadcasting Co., at Washington, D. C., entitled "Unveiling of a Canvas on the Wall."

There being no objection, the address was ordered to be printed in RECORD, and it is as follows:

I am happy indeed to have this opportunity, again, of talking to thousands of my radio friends who, I feel sure, are listening in at this moment. I want to express my deep appreciation to the National Broadcasting Co. for giving this hour to the Farmers' Union the fourth Saturday of each month.

I also want to thank those who responded so splendidly to the talk I gave the fourth Saturday in January. We now have more than 1,500 who have volunteered to do organizing work in their own counties. There is scarcely a day that we do not receive results from these organizers. I take the position that any person who speaks to an audience, like the one I am addressing to-day, should give them bread instead of a stone; should give them milk instead of just foam. It is my purpose in each of my talks to give you information, to give you truth not available through the ordinary sources of securing information. If I can do this, I am not wasting your time nor mine, and we shall be drawn closer together as we meet each other, radio fashion, once each month. I am fully convinced we can not only become acquainted over the radio, but also build up a friendship approaching that of personal contact. So I come to you to-day happy in the feeling that we are friends.

THE UNVEILING

The usual purpose at the unveiling of a great picture is to expose to view the work of some great artist—a work that he has done with paint and brush. The unveiling brings to the eyes of those present a thing of beauty. It brings to them the pleasure and delight that we get from seeing beautiful things.

The picture that I shall unveil was not made with paint and brush. It was not intended by its authors to be exposed to public gaze. It was not constructed with the thought of making it a thing of beauty. I shall unveil an ugly, hideous, inhuman picture constructed by selfish, greedy, avaricious souls for the purpose of robbing their fellow men.

MONEY AND CREDITS

Tearing the curtain aside, we see the subject of this picture is "Money and Credits." So far as this particular picture is concerned the making of it began during the Civil War.

Examining the thumb prints on this picture, I can see it is the work of the slimy hands of the big bankers of the Nation.

BANKER PERFDY

I see, as a part of the background of this picture, what Abraham Lincoln was up against in the trying days of his administration. Big bankers went to Congress in the early days of the war and put exception clauses into the currency Lincoln was compelled to issue. The exception clauses prevented this currency from being full legal tender for all debts, public and private. In the background of this picture, I see that this exception clause prevented the money Lincoln issued from passing at a hundred cents on the dollar. I see the soldiers of '61 accepting these bills at face value, but they and their families back home compelled to turn them in to the merchant and to those whom they owed at 50 cents on the dollar and even less in some instances. I see the big bankers of the Nation accumulating hundreds of millions of dollars of this currency at this depreciated value. Then after the war I see, in this ugly picture, these same bankers going to Congress and having their 50-cent dollars funded into Government bonds payable in gold dollars at 100 cents on the dollar.

NATIONAL BANK ACT

I see these bankers, during this war period and after the war period, secure the enactment of the national bank act. The national bank act provides that national banks may loan the United States receiving for such loan a Government interest-bearing bond. The Government will then print for the national bank an equal amount of blank national bank notes, the bank leaving the Government bond as a guaranty that the bank shall stay open ready to redeem such currency on demand. The officers of such banks make money out of these blank national bank notes by simply signing each bill at the place indicated. Under this act, the national bank, after lending the Government, has just as much money to lend out to its customers upon which it draws high rates of interest and at the same time the Government sends them interest quarterly on a like amount of money.

To make this plain I give you my own experience. I was president of the First National Bank of Weatherford, Okla., some 20 years ago. One day I lent \$25,000 of that bank's money to the Government in Washington. The Government issued a \$25,000 bond, its note to my bank. I left the bond with the Government and received \$25,000 in blank national bank notes which I signed and returned to the vaults of the First National Bank of Weatherford. I had just as much money to lend in and around Weatherford to farmers and business men as I had before I lent the Government that \$25,000, and received interest every three months on the Government bond left with the Secretary of the Treasury, as well as from the bank's customers. I want you listening in to know that when the last coupon on that Government bond has been paid to the First National Bank of Weatherford, Okla., the taxpayers of this Nation will have paid more than \$25,000 in interest to the bank for my signing and making some money for the people to use. That is the national-bank system that I find in the background of this picture, a system that I concede the daily press of the country have the people believing is a sound system. It is sound for the bankers, but not sound for the taxpayers of this Nation.

CRIME OF 1873

In the background of this hideous picture I want to call your attention to the crime of 1873. England had gone off the bimetallic standard in 1816. Immediately she entered upon an extensive campaign to get other nations to do the same. It was emissaries of Great Britain working through the big bankers of this country who were largely responsible for the demonetization of silver in 1873. Our big bankers saw that it would be much easier for them to control the basic money of the country under a single gold-standard system instead of a bimetallic system in which both gold and silver were money.

This is a terrible picture I am unveiling and I want you to know that it is, exclusively, the work of the big bankers of this Nation.

FEDERAL RESERVE ACT

The next part of the background of this picture to which I call your attention is the Federal reserve act passed by Congress in 1914. This machine was supposed to function in the interest of the common people. It was supposed to furnish an elasticity to the money and credits of this country that would respond quickly and adequately to the needs of the business and commerce of the Nation. In the background of this picture I see that the international bankers jumped onto the Federal reserve machine, threw the lever in reverse, and instead of elastic qualities being used to the advantage of the people it has been used against their interests.

DEFLATION

I call your attention to that part of the background of the picture where, immediately after the war the international bankers of this country, through the Federal reserve banks, beginning in May, 1920, demanded payment by the small banks of the country of what those small banks owed to the big banks and to the Federal reserve banks. As a result of these demands in less than 18 months nearly \$3,000,000,000 of Federal reserve notes and national-bank notes were called in and canceled. In other words, these pirates of finance destroyed in 18 months \$3,000,000,000 of the medium of exchange of this country.

I see in this picture that May 1, 1920, when deflation began, cotton was 40 cents a pound on the Cotton Exchange in New Orleans. Four months later it was 7 cents a pound, and to-day it is less than 6 cents. I see in the background of this picture on May 1, 1920, when the big bankers commenced the destruction

of the medium of exchange of this country, wheat was \$3 a bushel on the Chicago Grain Exchange. Four months later it was \$1.40, and to-day it is less than 50 cents a bushel.

BANKS' POWER

In the background of this canvas I am unveiling, I want to call your attention to the strangle hold two big banking systems in New York City have on the business of this Nation. This will be a very brief summary of the situation.

I shall take the Chase National Bank first. Members of its board of directors hold directorships in other institutions to the following extent: 18 banks, 12 insurance companies, 32 manufacturing corporations, 17 railroad companies, 19 public utilities, and 31 miscellaneous corporations. In turn, these banks in which directors of the Chase National have one or more directors have one or more directors in 104 other banks, 142 insurance companies, 360 manufacturing corporations, 234 transportation companies, which include some street railways, steamship and aviation corporations, 266 public utilities, and 569 miscellaneous corporations. We find the Chase National and its interlocking banks with a total of 2,023 directorships in other banks, in insurance companies, manufacturing concerns, transportation companies, and public utilities.

A breakdown of the National City Bank shows they hold 7 directorships in aviation companies, 41 in other banks, 104 in miscellaneous companies, 44 in insurance companies, 102 in manufacturing corporations, 29 in transportation companies, 115 in public-utility corporations. A breakdown of each of these 41 banks shows that the group under the National City Bank holds 4,019 directorships in other banks, public utilities, insurance companies, transportation companies, manufacturing, and miscellaneous corporations.

Investigation reveals these interlocking directorates, both in banking and industry, extend into foreign countries. It further reveals that it extends to every automobile concern with the exception of Ford. It shows it includes practically every railroad, steamship company, and aviation company in the United States. It includes practically every public utility in the United States. It includes a majority of the insurance companies of the United States. It includes every line of manufacturing. It reveals there is scarcely such a thing as an independent concern in the United States. Just a few big bankers completely control commerce, industry, and transportation.

I get this information from the testimony of Mr. John P. Frey, secretary-treasurer of the metal trades department of the American Federation of Labor. This testimony was given Tuesday, January 31, this year before a subcommittee of the Judiciary Committee of the United States Senate, Senator GEORGE NORRIS, of Nebraska, presiding.

HOW BANK DESTROYS INDIVIDUAL

I want to call your attention to an incident in the background of this picture that is typical of multiplied thousands of similar incidents. It is the story of a friend of mine in Oklahoma who through luck and a knowledge of oil geology really fell into great wealth. He has opened more oil fields in this country than any man in the country. This friend of mine told me a few months ago that less than three years from the day he took lunch with an international banker in New York City, they stripped him of over \$30,000,000. The process was, first, financing through lending; second, financing by increasing his capital stock and the big bankers taking most of the increased capital stock; third, by surreptitiously buying other stock from minority stockholders until they had controlling interest; fourth, after obtaining controlling interest removing my friend as president of his own company; fifth, and the last process, was selling to my friend's company worthless property owned by the international banker. That day when my friend took lunch with the international banker in New York City it was the old story of the spider and the fly.

THE PICTURE ITSELF

I have hastily called your attention to the background of the picture. Now, let us look at the picture itself. In the center of this background is the complete control by the international bankers of the "money and credits" of this country. As Sampson's locks were the source of his power, so the control of the money and credits of this country is the source of the power of the international bankers of this country. Sampson shorn of his locks was shorn of his power. The international bankers shorn of their control of money and credits will be shorn of their power and their interlocking directorates will cease to work when they no longer have the power to make a big crop of money or a small crop; when they are no longer the only source of credit for the people of this Nation.

I did not make this picture. The international bankers made it. I have unveiled it and brought it to your view. If you like the condition this picture reveals, if you are contented for a few selfish, greedy, avaricious men to have control of the money and credits of this country, then turn from your radios at the close of this hour, put your necks in the yoke and wear it uncomplainingly.

HOW ORGANIZE

If this picture is a thing of horror and terror to you, then at the close of this hour write to our national secretary, E. E. Kennedy, Kankakee, Ill., and ask for instructions how you may become a member of the Farmers' Union of America and how you can organize a local of the Farmers' Union in your community. Around Hazleton, Pa., the farmers have self-organized in the last 30 days and now have 5 locals with 150 members.

We are the only organized group of farmers here in Washington working for the passage of the Frazier bill, S. 1197. This bill provides for the Government refinancing farmers at 1½ per cent interest and 1½ per cent payment on the principal each year until the principal is paid. We are the only organization of farmers with headquarters here in Washington advocating the passage of the Wheeler bill, S. 2487, which provides for the remonetization of silver at the ratio of 16 to 1. We are the only organization of farmers with headquarters here in Washington advocating the passing of such legislation as will get for farmers cost of production for that part of their products consumed in this country.

If you would like to see such bills as I have mentioned pass and become laws in this Nation, it is your duty to become a member of the organization that is promoting these measures. The Farmers' Union is the only farm organization doing this, with headquarters in Washington.

I want you to know that the Farmers' Holiday Association has the same program of legislation as the Farmers' Union. I also want you to know that the Farmers' Holiday Association has done more to bring to the attention of the people and all official Washington the awful conditions of the farmers than any other organization in the United States. I want you farmers to know that every foreclosure sale controlled by the Farmers' Holiday Association has caused another Congressman or Senator to think just a little deeper on these questions than they had before.

A new organization has sprung up in Wisconsin, known as the Cooperative Milk Pool. Right now they are carrying on a big milk strike that surpasses anything the Holiday Association has attempted so far. All these organizations are an indication that the spirit of 1776 still survives.

If this Nation is saved, it will be because there are farmers who have the moral courage to resist the continued mistreatment of the agricultural classes of this country.

Among the things at which you have a right to complain are the following: You are made to work harder than any other group. On an average, the homes in which you live are not as good as the average of that of any other group. You get less for your labor than any other group. You pay higher rates of interest when you borrow than any other group. Your taxes are much higher than those of any other group. As a group, you are treated as inferior to other groups. You could get a thousand illustrations of this last statement.

You are disgracefully treated by the Reconstruction Finance Corporation.

Individual banks and individual railroads often secure loans of many millions of dollars with the collateral offered the Government sometimes less than one-third of the amount borrowed.

When the Reconstruction Finance Corporation lends to a farmer, they require such an extortion of security as to, in most instances, absolutely make impossible the securing of a loan. The following letter is a sample of the way farmers are mistreated by the Reconstruction Finance Corporation. This letter is from the Reconstruction Finance Corporation set-up at Helena, Mont., to Mr. Emory J. LaRoche, Madoc, Mont., under date of January 20, 1933.

REGIONAL CREDIT AGRICULTURAL CORPORATION,
Helena, Mont., January 20, 1933.

MR. EMORY J. LAROCHE,
Madoc, Mont.

DEAR SIR: Please be advised that your application for a loan has had the careful consideration of our loan committee, and that it has seemed inadvisable to allow the loan in the amount for which you applied. However, they have approved a loan to you of \$800 to be secured by a first mortgage on your 6 cattle, 2 horses, 7 tons of hay, 4,370 bushels of wheat in bin, your 1933 crops, and all machinery and equipment as listed by the inspector.

It will also be necessary that you give us a first mortgage on your real estate. We will require that your wife join you in signing the note and mortgage.

It will also be necessary that your cattle be branded with your recorded brand.

Trusting that this meets with your satisfaction and upon receipt of such information the necessary papers will be prepared and forwarded to you for execution.

Yours very truly,

P. B. MCCLINTOCK, Assistant Manager.

The latest, up-to-date one is a resolution that passed the Senate providing a committee should be appointed to invite citizens scattered over the Nation to come before this committee and give what information they can about the causes and the remedies for the depression in which we find ourselves. This committee has been organized and 60 invitations sent out. A big majority of these invitations have been issued to those who brought on the wreck and ruin existing in the country.

In my radio talk the fourth Saturday of March I shall give you my statement before this committee including questions asked me by members of the committee and my answers.

Mr. Farmer listening in, I will tell you why you are mistreated this way. It is because you have refused to join your own class organization, the Farmers' Educational and Cooperative Union of America. Let me, once more, appeal to you to write E. E. Kennedy, Kankakee, Ill., our national secretary and find out how you can place yourself in a position where public officials will respect and recognize you. Write to E. E. Kennedy, Kankakee, Ill., and ask him how you may become a member of the farmers' union.

For lack of organization, here is what has happened to you in the last three years. Farmers sold in 1929 farm products and

received therefor a total of \$10,100,000,000. In 1930 they realized from their sales a total of \$7,800,000,000. In 1931 they realized from their sales a total of \$5,500,000,000. For the year 1932 the continued and increasing shrinkage brought the total down that farmers received from the sale of their crops to \$4,000,000,000.

TARIFF AND HIGH-PRICED DOLLAR

Our high-priced dollar and our high tariffs are forcing our manufacturers to build factories in the countries where money is cheap. Hundreds of manufacturing concerns in this country have either established branch factories in foreign countries or entirely removed their manufacturing plants from this country. The tariff is made to operate against the farmer.

In 1930 the cement concerns in the United States secured a tariff on cement when the year before practically every cement company in this country was making huge profits; some of them more than 100 per cent. A wheat exporter told me that before this tariff was placed on cement, in 1930, he exported large quantities of wheat to Belgium, taking in pay therefor Belgium cement. The tariff granted our cement manufacturers completely destroyed that wheat market. The point I want to make is that the tariffs are set up almost exclusively in the interest of the manufacturers and against the interest of producers of raw materials. It makes no difference whether those raw materials come from the farms, from the mines, from the forests, or from the oil wells of our country, this Government in its tariff bills has always discriminated against these producers of raw materials. The trouble has been that those who are in control of this Government have greater interests in foreign countries than they have in this. A friend of mine from San Francisco writes: "Our country will never get back to the road toward prosperity until our national affairs are controlled by men whose controlling financial interests are within America. At present, and for a number of years last past, our financial affairs have been governed by people who have all or too large a proportion of their investments in foreign countries. They proceed on the policy of 'America last' instead of 'America first, last, and all the time.'"

STATE LEGISLATIVE REPORTS

I am glad to learn that the Farmers' Union in most of the States where the legislatures are in session are making effective fights against legislation intended to make motor transportation more expensive. The railroads of the country are getting higher freight rates to-day than they were when farmers were getting \$3 a bushel for wheat and 40 cents a pound for cotton. Motor and water transportation are the only two factors that have been able to in any way curb the greed of the railroad companies. I urge you members and others listening in to continue your vigilance in this matter.

The long-awaited Coolidge-Smith-Baruch transportation report which was made public on February 15 is a source of much satisfaction to farm organization leaders here who had taken an active part in presenting the farm viewpoint to this committee. Among other things this report says, "Where competition with trucks and other methods exists, it will determine rates. In other cases rates must be regulated, but the basis of cost of operation under efficient management is a better guide than any attempt to preserve capital structures regardless of economic trends."

"Neither tax nor regulation should be applied for any purpose of handicapping the march of progress for the benefit of the railroads," the report says, referring particularly to motor vehicles.

It further says, "One thing is certain. Automotive transportation is an advance in the march of progress. It is here to stay. We can not invent restrictions for the benefit of railroads. We can only apply such regulations and assess such taxes as would be necessary if there were no railroads, and let the effect be what it may."

I hope the farmer's friends in the various State legislatures will keep this idea in mind and oppose the many proposals to increase unnecessarily motor vehicle taxes and restrictions.

THE NEW DEAL

When I talk to you four weeks from to-day, Saturday, March 25, at this same hour, there will be a new man in the White House. There will be nearly 200 new faces in the House and Senate. I believe it means a new deal.

The Democratic Party in its platform and by utterance of its standard bearers in the last election campaign solemnly promised us farmers that if their candidates were elected they would do two things for us. First, they promised to see that we would be refinanced at lower rates of interest and long-time payments of the principal. Second, that everything possible would be done to see that we received cost of production for our products. Its candidates were elected, and I consider they are under contract to do these things.

It is the duty of the farmers' union to assist this new President and this new Congress to carry out and fulfill to the letter these two provisions of the contract. To that end I urge each State farmers' union to organize a delegation to be sent to Washington at the time of the opening of the special session of Congress. It is the last chance. If we get needed legislation, it will be in the special session or never. I appeal to you, I beg of you, to do this at once. Write to our national secretary, E. E. Kennedy, Kankakee, Ill., for full instructions about how to select and raise the necessary funds for sending a legislative delegation from your State.

I am your national president, I am your hired man, doing my best to put over your national legislative program here in Washington. I am now calling for help. I know you will not fail me.

REMONETIZATION OF SILVER

Mr. THOMAS of Oklahoma. Mr. President, I ask leave to have printed in the RECORD a radio address by Hon. BURTON K. WHEELER, the junior Senator from Montana, over a network of the National Broadcasting Co. at noon to-day, on the subject of Remonetization of Silver.

There being no objection, the address was ordered to be printed in the RECORD, and it is as follows:

Ladies and gentlemen of the radio audience: I am very happy to appear on this program with Mr. John A. Simpson, president of the National Farmers' Union. Mr. Simpson, in my judgment, has been carrying on a great constructive work for the farmers of this Nation, appearing before committees of Congress and urging with all the earnestness in his soul that something be done to relieve your present situation.

He has very kindly asked me to address you to-day upon the subject of my bill (S. 2487), which I introduced into the United States Senate over a year ago, to remonetize silver and to reestablish the money of our forefathers.

As I have recently spoken over the radio on this subject, I am not going to take up some of the aspects which I have already covered but several inquiries have come to me concerning various phases of the bill which I shall try to answer.

For instance, I have here a letter from a farmer in Iowa, inquiring how the remonetization of silver on a basis of 16 to 1 is going to help him pay his interest, taxes, and mortgage on his farm. That is a very pertinent inquiry.

It is going to help that farmer who raises corn in Iowa because: First, it is going to raise world commodity prices; that is, it is going to raise the world price of wheat, cotton, corn. It is going to do so because of the fact that at the present time there are in the world, 60 per cent of the people using silver as their yardstick, and when you raise the price of silver you raise the price of their money. Raising the price of their money increases their cost of production and makes it impossible for them to dump their produce as they can to-day by reason of their depreciated money.

You good people out there on the farm have heard it repeatedly said that what is wrong with this country is an overproduction of products; and also that the machines are doing too much work and taking the place of too many men.

I am unable to subscribe to those theories. I say that there is no overproduction of corn, wheat, and other foodstuffs as long as there are millions of people anywhere in the world going hungry, and I say that there is no overproduction of woolen goods and cotton goods as long as untold millions are ragged and half-clad for want of clothes. And there is not and can not be an overproduction of lumber, brick, and things of the sort, as long as people have to go without shelter.

My bill would make it possible for the untold millions of people throughout the rest of the world in silver-using countries to buy from our factories our manufactured goods, boots, shoes, and clothing; your corn, hogs, cattle, wheat, and cotton.

A banker wrote to me stating, "Why don't you use, instead of silver, aluminum or copper; why should you take silver?" The answer to that is very simple. Silver and gold have been the primary money of the world all through the ages, and something like 60 per cent of the people of the world use silver as their yardstick, for their medium of exchange to measure the price of their commodities.

For over a hundred years the financiers of the western world have sought in vain to try to get these countries to stop using silver and make gold the universal yardstick of the world. They have never succeeded in so doing, and consequently, because silver is the yardstick of 60 per cent of the people of the world, I am seeking to make their yardstick of the same length as the yardstick which we in the United States use, and by so doing, stabilize the exchange rates and currencies of the world and keep them from fluctuating. This would do more to stabilize your money than any other piece of legislation that is pending or has been pending before Congress.

At this point I want to earnestly and emphatically urge you not to be misled by any of the proposed methods of utilizing silver as an adjunct to or subsidiary of the single gold standard. Briefly, these measures provide for the purchase of limited quantities of silver on a fluctuating market at a price to be controlled by the Government itself. A fluctuating price on a substance used as money is unsound under every theory of economics and common sense.

Under the limitations fixed by these proposed enactments, not to exceed \$250,000,000 would be added to the circulating medium of the United States and the insignificance and futility of such an amount in the support of a debt structure estimated at \$240,000,000,000 is immediately manifest. The effect of such legislation on the ability of our silver-using customers to purchase our goods would be absolutely nil. Any measure which does not restore silver to its hereditary place side by side with gold, would have no potency whatever in raising the price of the products you farmers have for sale or those you hope to produce in the future. To adopt such makeshift measures or to reduce the weight of the gold in the dollar would mean the voluntary surrender of our export trade without which farming will continue to be unprofitable. To tell the wheat, cotton, and tobacco growers that their domestic price is fixed by world prices is as superfluous as to remind them that 2 and 2 make 4.

Neither of these other methods of modifying the monetary system would add one iota to the purchasing power of our oriental, European, or South American customers, but my bill would immediately quadruple their purchasing power and thereby furnish you a profitable outlet for your products.

You hear it said frequently on the floor of the Senate; you heard in the recent campaign, and saw it written into the platforms of both parties that we believe in sound money. When these people talk to you about sound money what do they mean? What we want is stable money, money that will purchase the same number of bushels of wheat in 1932 that it did in 1926, so that you farmers can pay off your mortgages with the same number of bushels of wheat, cotton, and corn as you did when you borrowed it.

I hold in my hand a letter from a labor organization in Virginia asking this very pertinent question, Would not the remonetization of silver have the effect of lowering wages in this country? In other words, what they want to know is whether raising the price of commodities would not have the effect of reducing wages.

The answer to that is very simple. Unless the purchasing power of farmers of this country can be restored so that he can buy clothes for his children, machinery with which to carry on his work, automobiles, etc., then labor can find no employment. It is because of the fact that the farmer has no purchasing power to-day that twelve or fourteen million people are walking our streets. It is because of the fact that the farmer has no purchasing power that little banks are failing all over this country; it is because of the fact that the farmer has no purchasing power that wages are being cut in every line of industry, and unless that purchasing power can be restored you will find eighteen to twenty million people out of employment inside of a very comparatively short time. You will also see wages reduced and standards of living reduced in this country lower than they ever have been before. The laboring man who is unable to see that the thing that gives him high wages and steady employment is high commodity prices for the farmer is standing in his own light.

My bill is not in the interest of any class of people. It has heretofore had the endorsement of every labor organization in the United States; in 1896 it had the endorsement of all the great farm organizations in the United States. My bill would do more to help every class of citizen by restoring prosperity to the farmers than any other piece of legislation pending before Congress.

Why is it not passed? Because men in Congress say to me, "WHEELER, you are right, but politically it is a mistake because Mr. Bryan was defeated upon that platform in 1896. Mr. Bryan was defeated in 1896, but that is no argument against the soundness of my bill, or why it should not pass the Congress of the United States."

A very eminent leader of the Democratic Party said to me, "I think you made a mistake in taking 16 to 1; you should have taken 17 to 1 or 15½ to 1 in order to get away from the prejudice in people's minds against Mr. Bryan. I do not believe there is any prejudice in the mind of the average person against Mr. Bryan; most people feel that he was 30 years ahead of his time, but whatever may be the arguments against the remonetization of silver in 1896, can not be advanced in 1933."

If our financiers and lawmakers could forget entirely the prejudices and preconceived convictions directly traceable to that ancient campaign we would have practically a unanimous public opinion back of the free coinage of silver.

Every domestic condition and foreign contact is different now to what it was in 1896. Then every owner of a mortgage or bond knew that if we remained on the gold standard he would be paid in a dearer dollar than under bimetalism—in other words, he would get more wheat, cotton, meat, clothes, or property in payment of his loan.

Now the holder of such mortgages and bonds knows that he will receive no payment at all unless the price of the products of mills, mines, and farms can be increased so that there will be a margin left above production costs from which his mortgage or bond can be paid.

The Department of Agriculture estimates that 750,000 private individuals, many of them old people who retired from active farming when incapacitated by age for the strenuous work of the farm, hold \$3,000,000,000 in farm mortgages.

Payment of interest has long since ceased, and those people know full well that the mortgages will never be paid under the gold standard.

What good is it to them to tell them that the dollars which the mortgages and bonds represent are sound gold dollars when they know in their hearts that those dollars will never be paid them under this system?

In 1896 the salaried man feared deflation of the purchasing power of his fixed salary. Now he does not sleep well at night by reason of anxiety over the permanency of his job. He knows that unless business promptly improves his employer can not long employ him.

In 1896 we were a debtor Nation, owing large sums to England, France, Germany, Belgium, and Holland. Our railroads and industrial developments had been partly financed by money borrowed abroad. The American corporations owing this money needed further European credit and therefore violently assailed bimetalism as the foreign financiers advised them that unless the United States remained on the gold standard no renewals or further loans would be made. Incidentally, it may be said that even though we did stay on the gold standard the European credits were gradually withdrawn.

But we are no longer a debtor Nation; we are the greatest creditor Nation the world ever saw. Perhaps we better enjoy whatever prestige there may be in that eminence, for unless the price of world commodities is very promptly increased there will be nothing left of those foreign obligations due us except an unpleasant memory.

So in every respect the case now is different to what it was in 1896.

It should be apparent to everyone that there is not sufficient gold in the world with which to pay our national, international, and local indebtedness. We have less than five billions of gold in the United States and debts of over \$200,000,000,000. I have before me a letter from the president of a bank and trust company up in Pennsylvania, from which I quote: "The fallacy, absurdity, and physical impossibility of redeeming financial obligations in gold are apparent and need only statement of fact to carry conviction; two hundred billion debt, forty billion bank deposits, to be paid in gold with a Nation supply of less than five billion."

This banker sees the absurdity of trying to pay these debts in gold, and for that reason he is strongly in favor of my bill to remonetize silver and thereby use both gold and silver as the foundation and basis of our monetary system.

The single gold standard has collapsed throughout the world since the World War, and the only way to stabilize world currencies is by fixing the ratio of value between gold and silver upon which the currencies of the world are based.

For thousands of years the money of the teeming millions in the Orient has been silver, while in western nations it was silver and gold at a fixed ratio of value between the two metals.

No great nation ever attempted to base its currency on the single gold standard prior to 1816, and for many years after that time and down to 1873 a ratio of value throughout the world was maintained between silver and gold which stabilized the exchange ratio between the currencies in all countries using either or both silver and gold.

My bill is to reestablish this bimetallic system which served humanity well for thousands of years and which was destroyed by selfish foreign banking interests in the year 1873.

On my own behalf and on behalf of the millions of honest men and women on the farms, in the shops, in the factories, and on the streets and highways seeking honest toil, who favor the remonetization of silver, I vigorously resent the implication that to coin silver and endow it with all the basic qualities of gold money would be a dishonest thing for this Government to do.

I doubly resent it when I consider the course which inspires this charge against the advocates of bimetalism. Who are these men who undertake to speak as the exponents of a sound and honest dollar? They are the same men whose overreaching greed and stupid leadership largely contributed to the destruction of the Nation's prosperity.

We had the gold standard; we had a balanced National Budget, and, unfortunately for the people, we had a national administration which did everything possible to strengthen the power of those financial leaders.

I need not tell you the result.

On top of the immeasurable loss of the immediate present and the destitution and despair of our people we have lost nearly all of the gains of a quarter of a century of social progress.

And who are these men? Some of the most powerful of the group have appeared before the Banking Committee of the Senate, and the unblushing story that came from their own lips condemns them to the contempt of honest men.

An adventurous American people will not criticize too harshly mistakes of judgment or even unwise speculation, but they will never condone the violation of a fiduciary trust. These men, trusted by their depositors, stockholders, and investment clients, traded on that sacred confidence to their own profit and to the ruin of those who trusted them. And what is their alibi now? Merely that the structure of fictitious security values which they themselves had built up for the purpose of reaping profit through commissions and stock manipulation on every merger, reorganization, and reissue of stocks and bonds fell about their heads before they had time to escape with all the loot.

Who was it lost the \$2,000,000,000 that vanished in thin air when the Insull bubble burst?

It was the hard-working, thrifty, frugal men and women of modest means to whom supposedly trustworthy bankers and financiers sold the worthless securities.

There is no alibi that they did not know the facts. In cold print in the record of the Banking Committee are statements from bank presidents acknowledging that affiliate companies owned 100 per cent by their banks continued to sell these securities to the public when all the assets of these Insull companies were already held by the banks on loans so large that the total assets could not possibly cover the obligations.

These are the same people who filled our schools and colleges with propaganda denouncing as radicals all public men who undertook to break their strangle hold on the industry, commerce, and finance of the Nation.

Not only did they plunder the investor but through fraudulent overcapitalization of these public utilities they fastened upon the consumers of light, gas, water, and power prices for these necessities that were insupportable even in prosperous times and are ruinous in times like these.

But this is only part of the picture and in some respects not the worst part.

Insull sought sanctuary in a foreign land to escape the reach of the law and the just wrath of an outraged people, but the representatives of one of the world's largest banking institutions testifying before the same committee shocked the moral conscience of the entire Nation. They tell us we must not speak of those things above a whisper lest the people lose confidence in our financial institutions.

To that I reply that nothing will restore confidence in our banking structure more promptly than demonstrated proof that we have a Government that has the courage and integrity to prosecute with equal vigor these malfactors of great wealth as well as the humbler offenders.

The public confidence in these institutions will never be restored until the people are convinced that their Government with all its majesty and power stands ready to visit its just wrath on any and all people who betray the public trust.

Shall the people continue to look for leadership to those financiers despite the irrefutable proof of their rapacity and selfishness?

Like their predecessors of times past who conspired to demonetize silver in order that the gold which they controlled would make them masters of the world's business activities, these men hope to perpetuate a system through which they control the destinies of nations to their own personal profit.

No other measure that might be enacted into law would so promptly and effectively deprive them of that control as the Wheeler bill for the free and unlimited coinage of silver.

Enact that law and once again silver which for 50 centuries was the medium of exchange in 90 per cent of all the business activities of mankind will again serve faithfully and well the needs of the common people.

THE CALENDAR

Mr. McNARY. Mr. President, I renew my request for unanimous consent.

Mr. COSTIGAN. Mr. President, I ask that the request for unanimous consent be read.

The VICE PRESIDENT. Let the request be read again.

The CHIEF CLERK. The Senator from Oregon proposes the following unanimous-consent agreement:

Ordered, by unanimous consent, That the Senate proceed to the consideration of unobjected bills on the Calendar, subject to the 5-minute rule, beginning with Order No. 1214, and after completing the call that the Senate then proceed with the call at the beginning for unobjected bills.

The VICE PRESIDENT. Is there objection?

Mr. COSTIGAN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Colorado will state it.

Mr. COSTIGAN. If the unanimous-consent agreement shall be entered into, what will be its effect on resolutions coming over from a previous day?

The VICE PRESIDENT. Such resolutions would go over under the rule without prejudice until the Senate meets following an adjournment.

Mr. COSTIGAN. Until Monday?

The VICE PRESIDENT. Until whatever day to which an adjournment may be taken.

Mr. COSTIGAN. May I ask the courteous Senator from Oregon whether an adjournment is expected to be taken soon so that such resolutions may be considered?

Mr. McNARY. I expect that the Senate will adjourn this afternoon and have a morning hour on Monday, which is customary and usual.

The VICE PRESIDENT. Is there objection to the request for unanimous consent preferred by the Senator from Oregon? The Chair hears none, and it is so ordered. The Secretary will state the first bill on the calendar.

BILLS PASSED OVER

The bill (H. R. 13742) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes, was announced as first in order.

Mr. BRATTON. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 5498) to authorize an increase in the limit of cost of one aircraft carrier was announced as next in order.

Mr. KING. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 5035) amending the shipping act, 1916, as amended, for the purpose of further regulating common carriers by water, was announced as next in order.

Mr. VANDENBERG. Over.

The VICE PRESIDENT. On objection, the bill goes over.

BILL INDEFINITELY POSTPONED

The bill (S. 5363) to provide for the housing, feeding, and clothing of certain unemployed persons at military posts of the United States, was announced as next in order.

The VICE PRESIDENT. The bill has been adversely reported from the Committee on Military Affairs.

Mr. KING. I move that the bill be indefinitely postponed. The motion was agreed to.

BILLS PASSED OVER

The bill (H. R. 5823) to increase the motor-vehicle fuel tax in the District of Columbia, and to provide for the better administration thereof, was announced as next in order.

Mr. KING. Over.

The VICE PRESIDENT. The bill goes over on objection.

The bill (H. R. 14416) to make the Federal gasoline tax effective until June 30, 1934, was announced as next in order.

Mr. VANDENBERG. Over.

The VICE PRESIDENT. The bill goes over on objection.

CUSTODY AND CONTROL OF WASHINGTON CITY POST OFFICE

The bill (S. 5530) to provide for placing the jurisdiction, custody, and control of the Washington city post office in the Secretary of the Treasury, was announced as next in order.

The VICE PRESIDENT. The Chair is advised that this bill is identical with House bill 14461, being Calendar No. 1361.

Mr. NORRIS. Mr. President, I had my attention diverted. I have been informed by the secretary of my colleague that he desired me to look at a bill in which my colleague is interested. I will inquire has any bill as yet been passed?

The VICE PRESIDENT. No bill on the calendar has as yet been passed; they have all been passed over.

Mr. NORRIS. What is the next number on the calendar?

The VICE PRESIDENT. The bill now before the Senate is Senate bill 5530, being Calendar 1250.

Mr. ROBINSON of Arkansas. Mr. President, I suggest that the House bill be substituted for the Senate bill on the calendar, and, if the House bill shall be passed, I will then move that the Senate bill be indefinitely postponed.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 14461) to provide for placing the jurisdiction, custody, and control of the Washington city post office in the Secretary of the Treasury, which was read, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of July 1, 1898 (U. S. C., title 40, sec. 285), is hereby amended to give the Secretary of the Treasury exclusive jurisdiction, control, and custody of the Washington city post office and the additions thereto, located at North Capitol Street and Massachusetts Avenue, to be operated and maintained by him the same as other public buildings under his custody and control.

Mr. ROBINSON of Arkansas. I move that Senate bill 5530, to provide for placing the jurisdiction, custody, and control of the Washington city post office in the Secretary of the Treasury be indefinitely postponed.

The motion was agreed to.

BILLS PASSED OVER

The bill (S. 4326) for the relief of R. S. Howard Co. (Inc.) was announced as next in order.

Mr. KING. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 5553) to relieve destitution in the District of Columbia was announced as next in order.

Mr. KING. Over.

The VICE PRESIDENT. The bill goes over on objection.

QUOTA EXEMPTION OF FATHERS AND MOTHERS OF UNITED STATES CITIZENS

The bill (H. R. 8174) to exempt from the quota fathers and mothers over 60 years of age of United States citizens was announced as next in order.

Mr. REED. Mr. President, I have received within the last five or six minutes a long letter from the State Department asking for the hearing on this bill. For that reason,

without expressing any prejudice for or against it, I ask that the bill go over.

Mr. KING. Mr. President, I can only express my regret that the bill should go over. The committee gave due consideration to this bill and was unanimous in reporting it.

The VICE PRESIDENT. The bill will be passed over.

ACTION FOR DAMAGES AGAINST THE DISTRICT OF COLUMBIA

The bill (S. 5224) to regulate the bringing of actions for damages against the District of Columbia, and for other purposes, was announced as next in order.

The VICE PRESIDENT. The Chair is advised that this bill is identical with House bill 13750, being Order of Business 1315 on the calendar.

Mr. McKELLAR. Mr. President, may we have an explanation of that bill?

The VICE PRESIDENT. Let the House bill be reported, and then the Senator in charge of the bill may explain it.

The CHIEF CLERK. A bill (H. R. 13750) to regulate the bringing of actions for damages against the District of Columbia, and for other purposes.

Mr. CAPPER. Mr. President, I ask that that bill may be passed over temporarily. The Senator in charge of it is out of the Chamber at the moment.

The VICE PRESIDENT. The bill will be passed over temporarily.

BILLS PASSED OVER

The bill (S. 5436) to amend section 653 of the Code of Law for the District of Columbia was announced as next in order.

The VICE PRESIDENT. The Chair is advised that this bill is identical with a House bill 14204, being Order of Business No. 1316 on the calendar.

Mr. ROBINSON of Arkansas. Mr. President, I inquire what is the purpose of this bill. It appears to amend a section of the Code of Law for the District of Columbia.

Mr. CAPPER. Mr. President, in the absence of the Senator from Washington [Mr. GRAMMER], who is in charge of the bill, I will say it is a bill to provide:

That no action against the District of Columbia for unliquidated damages to person or property shall be maintained unless the claimant shall prove that he gave notice to the District commissioners in writing, within 30 days after the injury or damage was sustained, of the details of such injury or damage.

Mr. ROBINSON of Arkansas. I will say to the Senator from Kansas that we are now considering Order of Business No. 1275. The bill to which he refers has been passed over.

Mr. BINGHAM. Mr. President, may I suggest that the Senator who reported the bill is presiding over a committee, but will be here in a few minutes? I suggest that the bill may be passed over without prejudice.

Mr. ROBINSON of Arkansas. Very well; it may be passed over if the Senator from Kansas wishes.

The VICE PRESIDENT. The bill will be passed over without prejudice.

The bill (S. 4871) to amend the teachers salary act of the District of Columbia, approved June 4, 1924, as amended, in relation to establishing the Wilson and Miner Teachers Colleges on a basis comparable with recognized standards for accredited institutions of like kind; to raising the trade or vocational schools to the level of junior high schools, and for other purposes, was announced as next in order.

Mr. McKELLAR. Over.

The VICE PRESIDENT. Objection is made, and the bill goes over.

LANDS FOR THE USE OF THE UNIVERSITY OF ARIZONA

The bill (S. 5361) to provide for the selection of certain lands in the State of Arizona for the use of the University of Arizona was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subject to lawful claims initiated by settlement or otherwise prior to August 2, 1932, and maintained in the manner required by law, the State of Arizona may select for the use of the University of Arizona by legal subdivisions all or any portions of sections 11, 14, 22, and 28 and the east half section 21, township 14 south, range 16 east, Gila and Salt River meridian,

Arizona, and upon the submission of satisfactory proof that the land selected contains saguaro groves or growths of giant cacti or are necessary for the care, protection, and conservation of such groves or growths, the Secretary of the Interior shall cause patents to issue therefor: *Provided*, That there shall be reserved to the United States all coal, oil, gas, or other mineral contained in such lands together with the right to prospect for, mine, and remove the same at such times and under such conditions as the Secretary of the Interior may prescribe.

C. J. MAST

The bill (S. 4993) for the relief of C. J. Mast was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. J. Mast, of Charlo, Mont., the sum of \$255 in full satisfaction of his claim against the United States for damages on account of injury to his crops in the years 1924 to 1928, both inclusive, by reason of breaks in a lateral dike in connection with the Flathead irrigation project.

DISPOSAL OF MONEY OR PROPERTY IN CUSTODY OF PROPERTY CLERK

The Senate proceeded to consider the bill (H. R. 13378) to amend sections 416 and 417 of the Revised Statutes relating to the District of Columbia, which was read, as follows:

Be it enacted, etc., That section 416 of the Revised Statutes relating to the District of Columbia be amended by striking out the word "fifty," where it occurs in said section, and inserting in lieu thereof the words "five hundred."

SEC. 2. That section 417 of the Revised Statutes relating to the District of Columbia be amended so as to read as follows:

"SEC. 417. All property, except perishable property and animals, that shall remain in the custody of the property clerk for the period of six months, with the exception of motor vehicles, which shall be held for a period of three months, without any lawful claimant thereto after having been three times advertised in some daily newspaper of general circulation published in the District of Columbia, shall be sold at public auction, and the proceeds of such sale shall be paid into the policemen's fund; and all money that shall remain in his hands for said period of six months shall be so advertised, and if no lawful claimant appear shall be likewise paid into the policemen's fund."

Mr. McKELLAR. Mr. President, will the Senator from Kansas explain that bill?

Mr. CAPPER. Mr. President, the purpose of the bill is well set forth in the report accompanying the bill, from which I quote as follows:

Under section 416 of the Revised Statutes of the District, the property clerk is made custodian for money or property of deceased persons coming into the hands of the police department. If the value of any such estate exceeds \$50 and has not been claimed by legal representatives of the deceased in the course of a year, the property clerk is required to certify all records pertaining thereto to the District probate court, which shall appoint an administrator of the estate.

The commissioners have informed the committee that in many cases the "entire estate of the deceased is kept in the jurisdiction of the property clerk and the cost of securing letters of administration would practically wipe out the estate."

The bill proposes to amend this section by requiring the court procedure only in cases involving estates of \$100 or more.

Mr. McKELLAR. Mr. President, why does the bill make an exception in the case of automobiles?

Mr. CAPPER. That was the recommendation of the District Commissioners, and on that point they say:

The amendment proposed to this section is to reduce the period for holding certain property from six months to three months. This change will not only save considerable administrative work, but will result in a considerable saving to the Government through a reduction in the requirements for storage space. Particularly is this true of the case of automobiles, most of which that are received by the property clerk are junk. If the legislation should not be enacted the demand for storage space for old cars coming within the custody of the police department will be increased.

That is the statement of President Reichelderfer of the District Commissioners.

Since this bill was reported the commissioners have asked that we strike out the words "five hundred" and insert "one hundred." That is on the first page, line 6. The committee is agreeable to that amendment, and I offer it.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kansas, to strike out "five hundred" and insert "one hundred."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The VICE PRESIDENT. Without objection, Senate bill 5053, with identical title to House bill 13378, will be indefinitely postponed.

GEORGE BRACKETT CARGILL, DECEASED

The Senate proceeded to consider the bill (H. R. 5548) for the relief of George Brackett Cargill, deceased, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 8, after "*Provided*," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the date of this act" and insert "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Navy, George Brackett Cargill, deceased, shall be held and considered to have been discharged under honorable conditions as a seaman, second class, United States Navy, on July 22, 1918: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN E. DAVIDSON

The Senate proceeded to consider the bill (H. R. 9326) for the relief of John E. Davidson, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 11, after "*Provided*," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act" and to insert "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of the pension laws and of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and sailors, their widows and dependent relatives, John E. Davidson, seaman, second class, United States Navy, shall hereafter be held and considered to have been discharged under honorable conditions from the naval service of the United States at St. Elizabeths Hospital, Washington, D. C., on the 16th day of July, 1918: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM JOSEPH VIGNEAULT

The Senate proceeded to consider the bill (H. R. 792) for the relief of William Joseph Vigneault, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 9, after "*Provided*," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act" and to insert "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged sailors William Joseph Vigneault, late of the United States Navy, shall be held and considered to have been discharged under honorable conditions from the naval service of the United States as seaman, first class, on December 11, 1918: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WILLIAM JOSEPH LACARTE

The Senate proceeded to consider the bill (H. R. 6409) for the relief of William Joseph LaCarte, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 10, after "Provided," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act" and to insert "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Joseph LaCarte, who was a member of the United States Naval Auxiliary Service and United States Naval Reserve Force, shall hereafter be held and considered to have been discharged under honorable conditions from the naval service of the United States as a member of that organization on the 18th day of April, 1917: *Provided,* That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

SYDNEY THAYER, JR.

The Senate proceeded to consider the bill (H. R. 1936) for the relief of Sydney Thayer, jr., which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 12, after "Provided further," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act," and to insert: "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That Sydney Thayer, jr., who served as an officer of the Marine Corps of the United States during the World War, shall be deemed and considered to be entitled to the benefits and privileges of the emergency officers' retirement act, public, No. 506, Seventieth Congress, notwithstanding the time limit for applicants for the benefits thereunder has expired: *Provided,* That such disability rating is sufficient and said Sydney Thayer, jr., is otherwise eligible for retirement under the terms and conditions of said act: *Provided further,* That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 7263) for the relief of Felix Maupin was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 9355) for the relief of David Schwartz was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

RUTH McCARN

The bill (H. R. 7548) granting six months' pay to Ruth McCarn was announced as next in order.

Mr. NORRIS. Mr. President, I should like to have that bill read in full.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sum as may be necessary to pay to Ruth McCarn, dependent mother of the late John Bush Watson, seaman, United States Navy, an amount equal to six months' pay at the rate said John Bush Watson was receiving at the date of his death.

Mr. NORRIS. I have no objection.

The bill was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 4203) for the relief of William James Waters was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2008) for the relief of Maurice M. Keleher was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

IRRIGATION PROJECTS ON INDIAN RESERVATIONS

The Senate proceeded to consider the bill (S. 5525) to extend temporary relief to water users on irrigation projects on Indian reservations, and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment, on page 1, line 8, after the word "for" to strike out "one-half of," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to extend to water users on Indian irrigation projects like relief to that provided in an act approved April 1, 1932, applying to water users under the reclamation law for the remaining half of such charges due for the calendar year 1932 and for all similar charges to become due for the calendar year 1933, the said Secretary to issue appropriate regulations for the carrying out of the provisions of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SHOALWATER INDIAN RESERVATION, WASH.

The Senate proceeded to consider the bill (S. 5576) to authorize the creation of an Indian village within the Shoalwater Indian Reservation, Wash., and for other purposes, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to reserve and set aside for Indian-village purposes, and to survey and plat into village blocks, lots, streets, and alleys, a suitable area of land within the Shoalwater (Georgetown) Reservation, and thereafter dispose of the village lots in accordance with section 10 of the act of June 25, 1910 (36 Stat. L. 855-858).

Sec. 2. That the Secretary of the Interior is hereby authorized, in his discretion, to expend so much of the \$15,150 derived from the sale of timber on the reservation and now carried in "special deposits" to the credit of the Superintendent of the Taholah Agency, as may be needed to carry out the provisions of section 1 of this act and to assist the Indians who receive lots, in developing the village and building homes therein, including the construction of such water and sewage facilities as may be practicable.

Mr. KING. Mr. President, may I ask the Senator whether or not the passage of this measure is desired by the Indians?

Mr. FRAZIER. Yes; it is. There are a few families that go to these waters to fish. They have enough money to put up homes; and the Government will furnish, out of money of their own, a little land there for them to build upon. It is a very important measure to that little band of Indians.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAVAJO INDIAN RESERVATION, UTAH

The Senate proceeded to consider the bill (H. R. 11735) to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes, which was read, as follows:

Be it enacted, etc., That all vacant, unreserved, and undisposed of public lands within the areas in the southern part of the State of Utah, bounded as follows: Beginning at a point where the San Juan River intersects the one hundred and tenth degree of west longitude; thence down said river to its confluence with the Colorado River; thence down the Colorado River to a point where said river crosses the boundary line between Utah and Arizona; thence east along said boundary line to the one hundred and tenth degree of west longitude; thence north to the place of beginning; also beginning at a point where the west rim of Montezuma Creek or wash intersects the north boundary line of the Navajo Indian Reservation in Utah; thence northerly along the western rim of said creek or wash to a point where it intersects the section line running east and west between sections 23 and 26, township 39 south, range 24 east, Salt Lake base and meridian in Utah; thence eastward along said section line to the northeast section corner of section 26, township 39 south, range 25 east; thence south 1 mile along the section line between sections 25 and 26 to the southeast section corner of section 26, township 39 south, range 25 east; thence eastward along the section line between sections 25 and 36, township 39 south, range 25 east, extending through township 39 south, range 26 east, to its intersection with the boundary line between Utah and Colorado; thence south along said boundary line to its intersection

with the north boundary line of the Navajo Indian Reservation; thence in a westerly direction along the north boundary line of said reservation to the point of beginning be, and the same are hereby, permanently withdrawn from all forms of entry or disposal for the benefit of the Navajo and such other Indians as the Secretary of the Interior may see fit to settle thereon: *Provided*, That no further allotments of lands to Indians on the public domain shall be made in San Juan County, Utah, nor shall further Indian homesteads be made in said county under the act of July 4, 1884 (23 Stat. 96; U. S. C., title 43, sec. 190). Should oil or gas be produced in paying quantities within the lands hereby added to the Navajo Reservation, 37½ per cent of the net royalties accruing therefrom derived from tribal leases shall be paid to the State of Utah: *Provided*, That said 37½ per cent of said royalties shall be expended by the State of Utah in the tuition of Indian children in white schools and/or in the building or maintenance of roads across the lands described in section 1 hereof, or for the benefit of the Indians residing therein.

Sec. 2. That the State of Utah may relinquish such tracts of school land within the areas added to the Navajo Reservation by section 1 of this act as it may see fit in favor of the said Indians, and shall have the right to select other unreserved and non-mineral public lands contiguously or noncontiguously located within the State of Utah, equal in area and approximately of the same value to that relinquished, said lieu selections to be made in the same manner as is provided for in the enabling act of July 16, 1894 (28 Stat. L. 107), except as to the payment of fees or commissions which are hereby waived.

Mr. KING. Mr. President, I should like to ask the chairman of the committee whether, in the consideration of this bill, there was any evidence that there were valid claims of white settlers within the territory which this bill proposes to have detached from the public domain permanently and turned over to the Indians.

Mr. FRAZIER. Mr. President, this is a House bill. I understand from the Secretary's report that the objections that were made by the white landowners there have been overcome, and that it is satisfactory. This is a measure that has been hanging fire for years, relating to what is known as the Piute Strip.

Mr. KING. The Senator knows that there sometimes have been withdrawals by Executive orders of large portions of the public domain without regard to the valid rights of settlers within the territory so withdrawn. If there are no conflicting rights, I am in sympathy with the proposition.

Mr. FRAZIER. As I understand, the department has taken care of those conflicting interests.

The bill was ordered to a third reading, read the third time, and passed.

UINTAH, WHITE RIVER, AND UNCOMPAGRE INDIANS OF UTAH

The Senate proceeded to consider the bill (H. R. 12651) for the relief of the Uintah, White River, and Uncompahgre Bands of Ute Indians of Utah, and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment, on page 1, line 8, after "Stat.," to strike out "192" and insert "1092," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to withdraw from the Treasury of the United States the total funds on deposit to the credit of the Uintah, White River, and Uncompahgre Bands of Ute Indians, arising under the provisions of the act of February 13, 1931 (46 Stat. 1092), including the accrued interest thereon and cause the total sum to be paid in pro rata shares to all members of the said Uintah, White River, and Uncompahgre Bands of Ute Indians who were alive and entitled to enrollment with such Indians on February 13, 1931: *Provided*, That the said Secretary, under such rules and regulations as he may prescribe, shall cause the shares of all Indians, including minors, to be deposited as individual Indian money in banks bonded and designated as depositories for individual Indian moneys, to remain subject to disbursement for the benefit of the Indians entitled thereto as are other individual Indian moneys under existing laws.

Sec. 2. The funds when so deposited to the credit of each individual Indian shall become immediately available for the purpose of improving their lands, the erection of suitable homes, the purchasing of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock industry, or such other pursuits or vocations as will enable them to become self-supporting under such rules and regulations as may be prescribed by the Secretary of the Interior for their actual benefit and welfare: *Provided*, That in cases of the aged, infirm, decrepit, or incapacitated members their shares may be used for their proper maintenance and support in the discretion of the Secretary of the Interior.

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Sec. 3. The funds deposited to the credit of minors, under authority of this act, may be invested or expended in the same manner and for the same purposes as are herein provided for the adults: *Provided*, That where the funds of any minor are invested or expended it shall be done with the consent of the parents and the approval of the Secretary of the Interior.

Sec. 4. In no event shall any of this money become liable, payable, or subject to any debt or debts contracted prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

LANDS IN OTTAWA COUNTY, OKLA.

The Senate proceeded to consider the bill (S. 5427) authorizing the Secretary of the Interior to purchase certain lands in Ottawa County, Okla., which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and to insert:

That the Secretary of the Interior be, and he is hereby, authorized to acquire, for Indian school purposes, the east half southwest quarter, southeast quarter northwest quarter, east half northwest quarter and west half southwest quarter southeast quarter section 21, township 27 north, range 24 east, Indian meridian, Oklahoma.

Sec. 2. In order to carry out the provisions of section 1 hereof there is hereby authorized to be appropriated, out of any money in the Treasury of the United States and otherwise appropriated, the sum of \$10,000, which said sum when so appropriated and placed in the Treasury of the United States to the credit of the Wyandotte Tribe of Indians, shall operate as a full, complete, and perfect extinguishment of all their right, title, and interest in and to the lands above described and which sum shall be subject to disbursement under congressional authority for the benefit of the Wyandotte Tribe.

Mr. KING. Mr. President, I should like some explanation of this bill from the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. Mr. President, in northeast Oklahoma we have an Indian school known as the Seneca Indian Boarding School. The school is located on lands belonging to the Wyandotte Tribe. The title is in the tribe of Wyandottes. The Government has largely improved this site, so that now it has improvements to the extent of 28 buildings, worth about \$135,000.

We appropriate each year about \$82,000 to maintain the school; but the school has been enlarged and is now used by all tribes. The Wyandottes think it is unfair to use their lands indefinitely for school sites for all tribes of Indians. Besides, the Government has appropriated this vast sum of money to construct a school on land that belongs to one particular tribe.

This bill proposes to take over this land and make it Government property—not only the buildings but the land itself. It authorizes an appropriation of \$10,000 at some time in the future to pay the Wyandotte Tribe for the land. The \$10,000, when appropriated, will go into the Treasury to be spent by the Congress for the benefit of the Wyandotte Indians.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the acquisition by the United States of the land upon which the Seneca Indian School, Wyandotte, Okla., is located."

ALLOTMENTS OF DECEASED INDIANS

The bill (S. 5483) authorizing the Secretary of the Interior in behalf of Indians to purchase the allotments of deceased Indians, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, will the Senator from North Dakota explain that bill and how much it will cost?

Mr. FRAZIER. No appropriation is provided in the bill.

Mr. McKELLAR. But it authorizes an appropriation.

Mr. FRAZIER. Yes. According to the commissioner's report it may take as much as \$100,000 later on, in small amounts. I have several amendments, however, that are deemed advisable. The department has recommended these

amendments, and I wish to submit the amendments, which I send to the desk.

Mr. KING. Mr. President, in view of the fact that it is conceded that the system of dealing with allotted lands, especially the allotted lands of deceased persons, is to be changed—there is to be a complete modification of the present system under which the title goes to the Indians, and when they die the lands do not go to their heirs, but are sold—it seems to me that it is unwise now to provide for the Government purchasing these allotments. I think that the lands ought to go into the tribe instead of being purchased and then sold to white people.

I think the bill had better go over.

Mr. FRAZIER. Mr. President, will the Senator withhold his objection for a moment?

Mr. KING. Yes; I will do it.

Mr. FRAZIER. Under the present system, where an Indian dies who owns allotted property the property must be sold and divided among the heirs. Generally speaking, the white people buy that property and come in and own land right in and around the reservation, which oftentimes causes a good deal of trouble. This bill would provide that the heirs of the deceased might buy the land, or the tribe might buy the land for tribal purposes; or, in some cases where the tribes have no money the money would be furnished by the Government. Under this bill the money would have to be appropriated. It means the prevention of breaking up the Indian tribal lands.

Mr. KING. I will say to the Senator that I am now working on a bill under the terms of which this vicious system of allotments, followed by the dispossession of the Indians when the allottee dies, will be done away with. In view of that fact, and the fact that legislation dealing with Indian lands will certainly be enacted at the next session of Congress, I think this bill had better go over.

The PRESIDENT pro tempore. The bill will be passed over.

COLLECTION OF FEES FOR WORK DONE FOR INDIANS

The bill (H. R. 10086) to amend the act of February 14, 1920, authorizing and directing the collection of fees for work done for the benefit of Indians, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the item contained in the act approved February 14, 1920 (41 Stat. L. 415; U. S. C., title 25, sec. 413), authorizing and directing the collection of fees to cover the cost of certain specified work performed for the benefit of Indians, be, and the same is hereby, amended so as to read as follows:

"That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to collect reasonable fees to cover the cost of any and all work performed by Indian tribes or for individual Indians, to be paid by vendees, lessees, or assignees, or deducted from the proceeds of sales, leases, or other sources of revenue: *Provided*, That the amounts so collected shall be covered into the Treasury as miscellaneous receipts, except when the expenses of the work are paid from Indian tribal funds, in which event they shall be credited to such funds."

REPEAL OF OBSOLETE SECTIONS OF REVISED STATUTES

The Senate proceeded to consider the bill (H. R. 9877) to repeal obsolete sections of the Revised Statutes omitted from the United States Code, which had been reported from the Committee on the Judiciary with an amendment.

Mr. ROBINSON of Arkansas. Mr. President, this is an important bill, but it has been pending here for a long time. I do not feel justified in objecting to the consideration of the bill, but I should like to have some assurance from the Senator from Delaware [Mr. HASTINGS] that the bill has been carefully drafted. It repeals a great many sections of the code, which sections are alleged to be obsolete.

Mr. KING. Mr. President, before the Senator from Delaware answers the able Senator from Arkansas will he permit me to make a suggestion?

Mr. HASTINGS. The chairman of the committee, the Senator from Nebraska [Mr. NORRIS], can answer the Senator's question better than I can. I remember something about it, but I know that the chairman of the committee

will be better able than I am to respond to the Senator's inquiry.

Mr. NORRIS. Mr. President, I should like to say that this bill has been pending here for a long time. It was reported once by the Judiciary Committee and then referred back by the Senate to the committee. The Senator will realize that the bill is a very difficult one. It is, however, one that requires a great deal of care and a great deal of attention.

The committee had the matter up again and referred it to a subcommittee, of which the senior Senator from Montana [Mr. WALSH] was chairman. He reported it favorably to the full committee, after a reexamination of all the statutes proposed to be repealed.

Of course, necessarily we had to depend on an examination being made by a competent person, who should review the matter again, to see that no mistake had been made. That work has all been done, and we have recommended that the bill be passed. It is a bill which has passed the House, and necessarily a great deal of additional labor will be entailed if the bill is not enacted at this session of the Congress.

Mr. ROBINSON of Arkansas. Mr. President, I think it ought to be disposed of now, if it is practicable to do so.

Mr. NORRIS. We are satisfied that the work was done satisfactorily, and the committee was unanimous in making its report.

Mr. ROBINSON of Arkansas. With the assurance the chairman of the Committee on the Judiciary has given, I shall make no objection.

Mr. KING. Mr. President, I want to ask the Senator from Nebraska a question. The Senator will recall that Senator Ernst, when in the Senate, spent several years in working out a codification of the Statutes of the United States. My understanding was that that codification eliminated obsolete laws, and I was wondering whether all of the provisions carried in the pending bill are to be found in the codification.

Mr. NORRIS. I think the Senator is wrong about the elimination of all obsolete laws being taken care of in the bill sponsored by Senator Ernst. That was a codification, but I think it included a good many laws which were obsolete and had been repealed.

Mr. KING. The Senator may be correct, but my recollection was that when Senator Ernst made his report and the matter was sent back to him it was with the understanding that laws clearly obsolete should be omitted from the codification.

Mr. NORRIS. The Senator will remember that when we passed the measure covering that codification we finally agreed upon an amendment that the statutes included in the codification, known as the Code of Laws, would be prima facie evidence, when they were offered, but only prima facie evidence, that they stated the law, and that if it were shown in any case that they conflicted with other statutes there should be a decision as to which stated the law. In other words, it was not the intention of the codification to repeal any law. This measure does repeal obsolete statutes.

Mr. KING. I shall not object.

Mr. BLAINE. Mr. President, I want to call attention to the fact that the pending bill and the next bill on the calendar are in the same category. Mr. Fitzgerald, of the House of Representatives, devoted a great deal of time and attention to the revision of the code. He put a great deal of painstaking effort into eliminating the obsolete sections of the code. As the Senator from Nebraska has stated the general history of these matters before the Committee on the Judiciary, I simply want to add that the Senator from Montana [Mr. WALSH], to whom, as chairman of a subcommittee, were referred these two bills, reported to the full committee that he had caused a very careful review to be made of all the sections alleged to be obsolete, that he had had that work done by a very competent clerk in his office, that the work had been submitted to him, and, while the Senator did not want it understood that he had made a careful, detailed study of the various provisions repealed, yet he was convinced, from a general review of the work that had been done

by a member of his office force, that there was no question but that the obsolete sections proposed to be repealed should be repealed.

Mr. NORRIS. Mr. President, I would like to add, for the benefit of the Senate, the statement that, of course, no member of the Committee on the Judiciary can say that he has personally examined all these statutes; it must be quite evident to the Senate that it would be almost a physical impossibility for a Senator to take the time to go over them all; it would be a terrible task. A Member of the House did that, however. Really, a competent attorney should have been employed to go through these statutes and make the examination.

Mr. WATSON. How many of them are there?

Mr. NORRIS. There is a large number of them. If one should go through them in detail in an effort to satisfy himself that the list given covered all statutes which had been repealed and which should be stricken from the statute books, it would probably take him two or three months. The Senator from Montana [Mr. WALSH] devoted considerable time to the matter, but, of course, he did not claim that he examined the statutes personally. He supervised the work done by a member of his office force and no errors were found. It was found that everything that had come from the House was correct.

Mr. HASTINGS. Mr. President, I would like to call the attention of Senators to the report made by the Senator from Montana [Mr. WALSH], stating that every section had been thoroughly studied by the executive department concerned, the legislative reference service of the Library of Congress, and the House Committee on Revision of the Laws, as well as by the Senate committee itself.

Mr. FLETCHER. Mr. President, I think we ought to pass the bill. If it includes some statutes by mistake, it probably would be just as well to have them repealed anyhow.

The PRESIDENT *pro tempore*. The clerk will state the amendment.

The amendment of the committee was, on page 7, column 4, to strike out "R. S. 5599," so as to make the bill read:

Be it enacted, etc., That the following sections of the Revised Statutes are hereby repealed:

R. S. 14	R. S. 242	R. S. 825	R. S. 1130
R. S. 15	R. S. 253	R. S. 826	R. S. 1131
R. S. 16	R. S. 255	R. S. 827	R. S. 1133
R. S. 17	R. S. 268	R. S. 831	R. S. 1134
R. S. 20	R. S. 271	R. S. 835	R. S. 1137
R. S. 21	R. S. 276	R. S. 836	R. S. 1139
R. S. 23	R. S. 279	R. S. 837	R. S. 1140
R. S. 42	R. S. 299	R. S. 839	R. S. 1142
R. S. 51	R. S. 300A	R. S. 840	R. S. 1146
R. S. 52	R. S. 300B	R. S. 841	R. S. 1147
R. S. 53	R. S. 316	R. S. 842	R. S. 1148
R. S. 75	R. S. 317	R. S. 843	R. S. 1151
R. S. 76	R. S. 322	R. S. 844	R. S. 1152
R. S. 77	R. S. 323	R. S. 845	R. S. 1154
R. S. 78	R. S. 332	R. S. 847	R. S. 1155
R. S. 85	R. S. 334	R. S. 980	R. S. 1159
R. S. 86	R. S. 351	R. S. 1008	R. S. 1160
R. S. 87	R. S. 352	R. S. 1009	R. S. 1161
R. S. 88	R. S. 393	R. S. 1037	R. S. 1162
R. S. 90	R. S. 394	R. S. 1038	R. S. 1163
R. S. 91	R. S. 414	R. S. 1039	R. S. 1168
R. S. 92	R. S. 416	R. S. 1040	R. S. 1170
R. S. 93	R. S. 433	R. S. 1048	R. S. 1171
R. S. 130	R. S. 440	R. S. 1090	R. S. 1172
R. S. 135	R. S. 443	R. S. 1094	R. S. 1173
R. S. 142	R. S. 445	R. S. 1099	R. S. 1179
R. S. 155	R. S. 466	R. S. 1100	R. S. 1180
R. S. 156	R. S. 477	R. S. 1101	R. S. 1181
R. S. 157	R. S. 484	R. S. 1102	R. S. 1182
R. S. 163	R. S. 485	R. S. 1103	R. S. 1184
R. S. 164	R. S. 490	R. S. 1106	R. S. 1185
R. S. 167	R. S. 491	R. S. 1107	R. S. 1186
R. S. 168	R. S. 492	R. S. 1109	R. S. 1187
R. S. 171	R. S. 503	R. S. 1113	R. S. 1188
R. S. 198	R. S. 511	R. S. 1114	R. S. 1190
R. S. 201	R. S. 521	R. S. 1115	R. S. 1193
R. S. 212	R. S. 522	R. S. 1117	R. S. 1195
R. S. 221	R. S. 561	R. S. 1119	R. S. 1196
R. S. 222	R. S. 628	R. S. 1121	R. S. 1197
R. S. 223	R. S. 768	R. S. 1123	R. S. 1198
R. S. 227	R. S. 770	R. S. 1124	R. S. 1200
R. S. 231	R. S. 777	R. S. 1126	R. S. 1202
R. S. 235	R. S. 778	R. S. 1128	R. S. 1203
R. S. 238	R. S. 781	R. S. 1129	R. S. 1204

R. S. 1205	R. S. 1577	R. S. 1912	R. S. 2205
R. S. 1206	R. S. 1578	R. S. 1913	R. S. 2206
R. S. 1207	R. S. 1579	R. S. 1914	R. S. 2207
R. S. 1208	R. S. 1589	R. S. 1915	R. S. 2208
R. S. 1213	R. S. 1590	R. S. 1916	R. S. 2209
R. S. 1214	R. S. 1594	R. S. 1917	R. S. 2210
R. S. 1215	R. S. 1595	R. S. 1918	R. S. 2211
R. S. 1216	R. S. 1596	R. S. 1919	R. S. 2212
R. S. 1217	R. S. 1597	R. S. 1920	R. S. 2213
R. S. 1219	R. S. 1598	R. S. 1921	R. S. 2214
R. S. 1220	R. S. 1599	R. S. 1922	R. S. 2215
R. S. 1221	R. S. 1601	R. S. 1923	R. S. 2216
R. S. 1235	R. S. 1602	R. S. 1924	R. S. 2217
R. S. 1236	R. S. 1608	R. S. 1925	R. S. 2226
R. S. 1238	R. S. 1615	R. S. 1926	R. S. 2227
R. S. 1239	R. S. 1618	R. S. 1927	R. S. 2233
R. S. 1240	R. S. 1661	R. S. 1928	R. S. 2241
R. S. 1262	R. S. 1662	R. S. 1929	R. S. 2256
R. S. 1263	R. S. 1663	R. S. 1930	R. S. 2299
R. S. 1267	R. S. 1667	R. S. 1931	R. S. 2312
R. S. 1269	R. S. 1670	R. S. 1932	R. S. 2313
R. S. 1271	R. S. 1672	R. S. 1933	R. S. 2314
R. S. 1272	R. S. 1673	R. S. 1934	R. S. 2315
R. S. 1273	R. S. 1676	R. S. 1935	R. S. 2316
R. S. 1277	R. S. 1677	R. S. 1936	R. S. 2317
R. S. 1279	R. S. 1678	R. S. 1937	R. S. 2367
R. S. 1282	R. S. 1679	R. S. 1938	R. S. 2390
R. S. 1283	R. S. 1682	R. S. 1939	R. S. 2489
R. S. 1286	R. S. 1684	R. S. 1940	R. S. 2491
R. S. 1287	R. S. 1687	R. S. 1941	R. S. 2492
R. S. 1289	R. S. 1690	R. S. 1942	R. S. 2493
R. S. 1290	R. S. 1691	R. S. 1943	R. S. 2494
R. S. 1292	R. S. 1694	R. S. 1944	R. S. 2495
R. S. 1295	R. S. 1702	R. S. 1945	R. S. 2496
R. S. 1297	R. S. 1703	R. S. 1946	R. S. 2497
R. S. 1315	R. S. 1704	R. S. 1947	R. S. 2498
R. S. 1316	R. S. 1705	R. S. 1948	R. S. 2499
R. S. 1326	R. S. 1720	R. S. 1949	R. S. 2500
R. S. 1332	R. S. 1729	R. S. 1950	R. S. 2501
R. S. 1339	R. S. 1730	R. S. 1951	R. S. 2502
R. S. 1340	R. S. 1732	R. S. 1952	R. S. 2503
R. S. 1343	R. S. 1733	R. S. 1953	R. S. 2504
R. S. 1363	R. S. 1739	R. S. 1954	R. S. 2505
R. S. 1364	R. S. 1741	R. S. 1958	R. S. 2506
R. S. 1365	R. S. 1747	R. S. 1991	R. S. 2507
R. S. 1366	R. S. 1751	R. S. 2034	R. S. 2508
R. S. 1368	R. S. 1762	R. S. 2036	R. S. 2509
R. S. 1371	R. S. 1799	R. S. 2041	R. S. 2510
R. S. 1372	R. S. 1817	R. S. 2043	R. S. 2511
R. S. 1376	R. S. 1842	R. S. 2044	R. S. 2512
R. S. 1377	R. S. 1845	R. S. 2045	R. S. 2513
R. S. 1390	R. S. 1846	R. S. 2046	R. S. 2517
R. S. 1391	R. S. 1847	R. S. 2047	R. S. 2518
R. S. 1392	R. S. 1848	R. S. 2048	R. S. 2519
R. S. 1394	R. S. 1849	R. S. 2049	R. S. 2522
R. S. 1399	R. S. 1850	R. S. 2050	R. S. 2523
R. S. 1400	R. S. 1851	R. S. 2051	R. S. 2525
R. S. 1412	R. S. 1852	R. S. 2054	R. S. 2526
R. S. 1416	R. S. 1853	R. S. 2055	R. S. 2527
R. S. 1423	R. S. 1856	R. S. 2062	R. S. 2528
R. S. 1424	R. S. 1859	R. S. 2065	R. S. 2529
R. S. 1425	R. S. 1862	R. S. 2099	R. S. 2530
R. S. 1446	R. S. 1863	R. S. 2102	R. S. 2531
R. S. 1447	R. S. 1865	R. S. 2107	R. S. 2532
R. S. 1460	R. S. 1866	R. S. 2128	R. S. 2533
R. S. 1461	R. S. 1867	R. S. 2129	R. S. 2534
R. S. 1472	R. S. 1869	R. S. 2130	R. S. 2535
R. S. 1476	R. S. 1870	R. S. 2131	R. S. 2536
R. S. 1478	R. S. 1871	R. S. 2175	R. S. 2538
R. S. 1479	R. S. 1872	R. S. 2176	R. S. 2539
R. S. 1484	R. S. 1874	R. S. 2177	R. S. 2541
R. S. 1491	R. S. 1875	R. S. 2178	R. S. 2542
R. S. 1492	R. S. 1876	R. S. 2179	R. S. 2543
R. S. 1497	R. S. 1877	R. S. 2180	R. S. 2544
R. S. 1513	R. S. 1879	R. S. 2181	R. S. 2545
R. S. 1514	R. S. 1880	R. S. 2182	R. S. 2546
R. S. 1522	R. S. 1881	R. S. 2183	R. S. 2547
R. S. 1523	R. S. 1882	R. S. 2184	R. S. 2548
R. S. 1524	R. S. 1885	R. S. 2185	R. S. 2549
R. S. 1525	R. S. 1887	R. S. 2186	R. S. 2550
R. S. 1529	R. S. 1889	R. S. 2187	R. S. 2551
R. S. 1530	R. S. 1891	R. S. 2188	R. S. 2552
R. S. 1531	R. S. 1896	R. S. 2189	R. S. 2553
R. S. 1540	R. S. 1897	R. S. 2190	R. S. 2555
R. S. 1541	R. S. 1898	R. S. 2191	R. S. 2556
R. S. 1556	R. S. 1899	R. S. 2192	R. S. 2557
R. S. 1558	R. S. 1900	R. S. 2193	R. S. 2558
R. S. 1559	R. S. 1901	R. S. 2194	R. S. 2559
R. S. 1561	R. S. 1902	R. S. 2195	R. S. 2560
R. S. 1562	R. S. 1903	R. S. 2196	R. S. 2562
R. S. 1565	R. S. 1904	R. S. 2197	R. S. 2563
R. S. 1566	R. S. 1905	R. S. 2198	R. S. 2564
R. S. 1567	R. S. 1906	R. S. 2199	R. S. 2565
R. S. 1568	R. S. 1907	R. S. 2200	R. S. 2566
R. S. 1569	R. S. 1908	R. S. 2201	R. S. 2567
R. S. 1570	R. S. 1909	R. S. 2202	R. S. 2568
R. S. 1572	R. S. 1910	R. S. 2203	R. S. 2569
R. S. 1573	R. S. 1911	R. S. 2204	R. S. 2576

R. S. 2577	R. S. 2724	R. S. 3656	R. S. 4000
R. S. 2578	R. S. 2725	R. S. 3657	R. S. 4001
R. S. 2579	R. S. 2726	R. S. 3658	R. S. 4002
R. S. 2582	R. S. 2728	R. S. 3666	R. S. 4003
R. S. 2583	R. S. 2729	R. S. 3669	R. S. 4004
R. S. 2586	R. S. 2730	R. S. 3680	R. S. 4005
R. S. 2587	R. S. 2731	R. S. 3697	R. S. 4024
R. S. 2591	R. S. 2732	R. S. 3756	R. S. 4025
R. S. 2592	R. S. 2733	R. S. 3757	R. S. 4032
R. S. 2593	R. S. 2734	R. S. 3758	R. S. 4047
R. S. 2594	R. S. 2735	R. S. 3759	R. S. 4092
R. S. 2595	R. S. 2736	R. S. 3760	R. S. 4093
R. S. 2596	R. S. 2737	R. S. 3761	R. S. 4094
R. S. 2597	R. S. 2738	R. S. 3762	R. S. 4095
R. S. 2598	R. S. 2739	R. S. 3763	R. S. 4096
R. S. 2599	R. S. 2740	R. S. 3764	R. S. 4123
R. S. 2600	R. S. 2741	R. S. 3765	R. S. 4124
R. S. 2601	R. S. 2742	R. S. 3766	R. S. 4135
R. S. 2602	R. S. 2743	R. S. 3767	R. S. 4140
R. S. 2603	R. S. 2744	R. S. 3768	R. S. 4175
R. S. 2604	R. S. 2745	R. S. 3769	R. S. 4185
R. S. 2605	R. S. 2746	R. S. 3770	R. S. 4186
R. S. 2606	R. S. 2750	R. S. 3771	R. S. 4212
R. S. 2607	R. S. 2752	R. S. 3772	R. S. 4229
R. S. 2618	R. S. 2753	R. S. 3773	R. S. 4230
R. S. 2624	R. S. 2754	R. S. 3774	R. S. 4231
R. S. 2634	R. S. 2755	R. S. 3775	R. S. 4243
R. S. 2642	R. S. 2757	R. S. 3776	R. S. 4244
R. S. 2650	R. S. 2917	R. S. 3777	R. S. 4246
R. S. 2653	R. S. 3109	R. S. 3778	R. S. 4247
R. S. 2655	R. S. 3112	R. S. 3779	R. S. 4248
R. S. 2656	R. S. 3145	R. S. 3780	R. S. 4346
R. S. 2657	R. S. 3148	R. S. 3781	R. S. 4347
R. S. 2658	R. S. 3178	R. S. 3782	R. S. 4458
R. S. 2659	R. S. 3222	R. S. 3783	R. S. 4592
R. S. 2660	R. S. 3237	R. S. 3784	R. S. 4593
R. S. 2661	R. S. 3245	R. S. 3785	R. S. 4594
R. S. 2662	R. S. 3328	R. S. 3786	R. S. 4616
R. S. 2663	R. S. 3365	R. S. 3787	R. S. 4631
R. S. 2664	R. S. 3378	R. S. 3788	R. S. 4632
R. S. 2665	R. S. 3379	R. S. 3789	R. S. 4633
R. S. 2666	R. S. 3380	R. S. 3790	R. S. 4634
R. S. 2667	R. S. 3401	R. S. 3791	R. S. 4635
R. S. 2668	R. S. 3410	R. S. 3792	R. S. 4642
R. S. 2669	R. S. 3412	R. S. 3793	R. S. 4643
R. S. 2670	R. S. 3413	R. S. 3794	R. S. 4648
R. S. 2671	R. S. 3420	R. S. 3795	R. S. 4649
R. S. 2672	R. S. 3421	R. S. 3796	R. S. 4672
R. S. 2673	R. S. 3422	R. S. 3797	R. S. 4675
R. S. 2674	R. S. 3423	R. S. 3798	R. S. 4689
R. S. 2675	R. S. 3424	R. S. 3799	R. S. 4710
R. S. 2676	R. S. 3425	R. S. 3800	R. S. 4714
R. S. 2677	R. S. 3426	R. S. 3801	R. S. 4718
R. S. 2678	R. S. 3427	R. S. 3802	R. S. 4723
R. S. 2679	R. S. 3428	R. S. 3807	R. S. 4725
R. S. 2680	R. S. 3429	R. S. 3808	R. S. 4726
R. S. 2681	R. S. 3430	R. S. 3809	R. S. 4727
R. S. 2682	R. S. 3431	R. S. 3811	R. S. 4730
R. S. 2683	R. S. 3432	R. S. 3813	R. S. 4731
R. S. 2684	R. S. 3433	R. S. 3814	R. S. 4732
R. S. 2685	R. S. 3435	R. S. 3815	R. S. 4733
R. S. 2686	R. S. 3436	R. S. 3816	R. S. 4736
R. S. 2688	R. S. 3438	R. S. 3817	R. S. 4737
R. S. 2689	R. S. 3439	R. S. 3818	R. S. 4738
R. S. 2690	R. S. 3440	R. S. 3819	R. S. 4739
R. S. 2691	R. S. 3441	R. S. 3820	R. S. 4740
R. S. 2692	R. S. 3442	R. S. 3821	R. S. 4743
R. S. 2693	R. S. 3465	R. S. 3822	R. S. 4751
R. S. 2694	R. S. 3489	R. S. 3823	R. S. 4758
R. S. 2695	R. S. 3564	R. S. 3824	R. S. 4759
R. S. 2696	R. S. 3572	R. S. 3825	R. S. 4760
R. S. 2697	R. S. 3573	R. S. 3826	R. S. 4761
R. S. 2698	R. S. 3574	R. S. 3827	R. S. 4762
R. S. 2699	R. S. 3575	R. S. 3837	R. S. 4763
R. S. 2700	R. S. 3579	R. S. 3865	R. S. 4764
R. S. 2701	R. S. 3582	R. S. 3866	R. S. 4765
R. S. 2702	R. S. 3586	R. S. 3872	R. S. 4767
R. S. 2703	R. S. 3592	R. S. 3875	R. S. 4768
R. S. 2704	R. S. 3594	R. S. 3876	R. S. 4769
R. S. 2705	R. S. 3596	R. S. 3877	R. S. 4774
R. S. 2706	R. S. 3597	R. S. 3878	R. S. 4775
R. S. 2707	R. S. 3598	R. S. 3881	R. S. 4777
R. S. 2708	R. S. 3599	R. S. 3884	R. S. 4779
R. S. 2709	R. S. 3601	R. S. 3886	R. S. 4781
R. S. 2710	R. S. 3602	R. S. 3887	R. S. 4782
R. S. 2712	R. S. 3603	R. S. 3902	R. S. 4789
R. S. 2713	R. S. 3604	R. S. 3903	R. S. 4817
R. S. 2714	R. S. 3605	R. S. 3904	R. S. 4828
R. S. 2715	R. S. 3606	R. S. 3905	R. S. 4832
R. S. 2716	R. S. 3607	R. S. 3906	R. S. 4836
R. S. 2717	R. S. 3608	R. S. 3907	R. S. 4837
R. S. 2718	R. S. 3609	R. S. 3908	R. S. 4845
R. S. 2719	R. S. 3610	R. S. 3909	R. S. 4846
R. S. 2720	R. S. 3611	R. S. 3910	R. S. 4847
R. S. 2721	R. S. 3612	R. S. 3910	R. S. 4848
R. S. 2722	R. S. 3654	R. S. 3997	R. S. 4864
R. S. 2723	R. S. 3655	R. S. 3998	R. S. 4924

R. S. 4925	R. S. 4945	R. S. 4960	R. S. 5194
R. S. 4926	R. S. 4946	R. S. 4961	R. S. 5245
R. S. 4927	R. S. 4947	R. S. 4962	R. S. 5249
R. S. 4928	R. S. 4948	R. S. 4963	R. S. 5255
R. S. 4932	R. S. 4949	R. S. 4964	R. S. 5411
R. S. 4937	R. S. 4950	R. S. 4965	R. S. 5412
R. S. 4938	R. S. 4952	R. S. 4966	R. S. 5568
R. S. 4939	R. S. 4954	R. S. 4967	R. S. 5569
R. S. 4940	R. S. 4955	R. S. 4968	R. S. 5597
R. S. 4941	R. S. 4956	R. S. 4969	R. S. 5598
R. S. 4942	R. S. 4957	R. S. 4970	
R. S. 4943	R. S. 4958	R. S. 5180	
R. S. 4944	R. S. 4959	R. S. 5181	

SEC. 2. The question as to whether any other provisions of law now omitted from the United States Code and supplements have present force or effect as general and permanent law shall be determined without regard to this act.

SEC. 3. No inference shall be raised by the enactment of this act that the sections of the Revised Statutes repealed by this act were in force or effect at the time of such enactment: *Provided, however,* That any rights or liabilities existing under such repealed sections shall not be affected by their repeal.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

REPEAL OF OBSOLETE STATUTES

The Senate proceeded to consider the bill (H. R. 7121) to repeal obsolete statutes, and to improve the United States Code, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the following obsolete sections of the Revised Statutes are hereby repealed:

Revised Statutes:	United States Code
R. S. 89	Title 2, sec. 136.
R. S. 340	Title 15, sec. 180.
R. S. 972	Title 28, sec. 820.
R. S. 2458	Title 16, sec. 591.
R. S. 2459	Title 16, sec. 592.
R. S. 2461	Title 16, sec. 595.
R. S. 2462	Title 16, sec. 596.
R. S. 2628	Title 19, sec. 41.
R. S. 2644	Title 19, sec. 46.
R. S. 2645	Title 19, sec. 47.
R. S. 2938	Title 19, sec. 378.
R. S. 3297	Title 26, sec. 421.
R. S. 3911	Title 39, sec. 296.
R. S. 3912	Title 39, sec. 297.
R. S. 3972	Title 39, sec. 490.
R. S. 3973	Title 39, sec. 491.
R. S. 3999	Title 39, sec. 521.
R. S. 4056	Title 39, sec. 788.
R. S. 4316	Title 46, sec. 256.
R. S. 4317	Title 46, sec. 257.
R. S. 4334	Title 46, sec. 287.
R. S. 4340	Title 46, sec. 281.
R. S. 4341	Title 46, sec. 282.
R. S. 4342	Title 46, sec. 283.
R. S. 4343	Title 46, sec. 284.
R. S. 4344	Title 46, sec. 285.
R. S. 4345	Title 46, sec. 286.
R. S. 4371	Title 46, sec. 317.

SEC. 2. Rights or liabilities existing under the foregoing statutes on the date of the enactment of this act shall not be affected thereby.

INDUSTRIAL LIFE INSURANCE IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 3257) for the protection of holders of industrial insurance policies in the District of Columbia, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and to insert:

Be it enacted, etc., That policies of industrial weekly payment life insurance hereafter issued or delivered in the District of Columbia shall be subject to the following conditions, in addition to any others prescribed by law and not inconsistent with the provisions of this act.

GOOD FAITH

SEC. 2. If payment of such a policy shall be refused because of unsound health at or prior to the date of the policy, the good faith of both applicant and insured shall constitute a material element in determining the validity of the policy; and it shall not be held invalid because of unsound health unless the insurer shall prove that, at or before the date of issue of the policy, the insured or applicant had knowledge of, or reason to know, the facts on which the defense is based, or shall prove that the insurance was procured by the insured or applicant in bad faith or with intent to defraud the company, any provision, agreement, condition, warranty, or clause contained in said policy, or indorsed

thereon, or added or attached thereto, to the contrary notwithstanding. Proof by the insurer of fraud, intent to deceive, unsound health, bad faith, breach or warranty or condition precedent, or other matter of defense, shall be subject to the provisions of section 657 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, as amended. (D. C. Code, title 5, sec. 183.)

INCONTESTABILITY

Sec. 3. Every such policy shall be incontestable upon any ground relating to health after two years from its date of issue (notwithstanding a longer period may be named therein), provided the insured shall be alive at the end of said period. If the policy by its terms shall be incontestable after a shorter period than herein provided, the terms of the policy with regard to such period of limitation shall govern.

ASSIGNMENT

Sec. 4. Nothing contained in the terms of any such policy shall operate to prevent its valid assignment by the insured; but the company issuing the policy so assigned shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice of such assignment.

BENEFICIARY

Sec. 5. Any individual designated with the consent of the insurer, evidenced by the signature of its president or secretary, or designated upon a form furnished by and filed with the insurer, as beneficiary of such a policy shall be entitled to the proceeds of such policy after the death of the insured in priority to all other claimants, and may sue in his own name for such proceeds if payment is refused by the insurer: *Provided*, That upon the expiration of 15 days after the death of the insured, unless proof of claim in the manner and form required by the policy, accompanied by the policy for surrender, has theretofore been made by or on behalf of such designated beneficiary, the insurer may pay to any other claimant permitted by the policy. A person specified as one to whom the insured desires payment made, but not formally designated as beneficiary, shall be deemed a beneficiary for the purposes of this section, provided such designation be made in writing and filed with the company during the lifetime of the insured.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill respecting contracts of industrial life insurance in the District of Columbia."

RIO GRANDE BRIDGE, TEXAS

The bill (S. 5532) to extend the time for the construction of a bridge across the Rio Grande at Boca Chica, Tex., was announced as next in order.

The PRESIDENT pro tempore. This is the same as Calendar 1376, House bill 14411.

Mr. VANDENBERG. I ask that the House bill be substituted and the Senate bill indefinitely postponed.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 14411) to extend the times for commencing and completing the construction of a bridge across the Rio Grande at Boca Chica, Tex., which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the time for commencing and completing the construction of a bridge authorized by act of Congress approved June 10, 1932, to be built by the Boca Chica Bridge Co. across the Rio Grande at Boca Chica, Tex., are hereby extended one and three years, respectively, from June 10, 1933.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The PRESIDENT pro tempore. Senate bill 5532 will be indefinitely postponed.

HUDSON RIVER BRIDGE, NEW YORK

The Senate proceeded to consider the bill (S. 5564) to extend the times for commencing and completing the construction of a bridge across Hudson River at or near Catskill, Greene County, N. Y., and for other purposes, which had been reported from the Committee on Commerce, with an amendment, on page 1, line 10, after "1930," to insert the words "heretofore extended by an act of Congress approved April 15, 1932," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Hudson River at or near Catskill, Greene County, N. Y., authorized to be built by the State of New York by the act entitled "An act granting the consent of Congress to the State of New York to construct, maintain, and operate a highway bridge across the Hudson River at or near Catskill, Greene County, N. Y.," approved June 5, 1930,

heretofore extended by an act of Congress approved April 15, 1932, are hereby further extended one and three years, respectively, from the date of the approval hereof.

Sec. 2. Section 2 of such act of June 5, 1930, is hereby repealed.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HEARINGS BEFORE COMMITTEE ON INTEROCEANIC CANALS

The resolution (S. Res. 344) authorizing the Committee on Interoceanic Canals to hold hearings during the Seventy-second Congress was read, considered, and agreed to, as follows:

Resolved, That the Committee on Interoceanic Canals, or any subcommittee thereof, is authorized, during the Seventy-second Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

CANYON DE CHELLY NATIONAL MONUMENT, ARIZ.

The bill (S. 5190) to amend the description of land described in section 1 of the act approved February 14, 1931, entitled "An act to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Ariz.," was announced as next in order.

The PRESIDENT pro tempore. This is the same as Calendar 1362, House bill 13960, and without objection the House bill will be substituted for the Senate bill, and the Senate bill will be indefinitely postponed.

There being no objection, the Senate proceeded to consider the bill (H. R. 13960) to amend the description of land described in section 1 of the act approved February 14, 1931, entitled "An act to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Ariz."

The bill was ordered to a third reading, read the third time, and passed.

PATRICK HENRY WALSH

The Senate proceeded to consider the bill (S. 4380) for the relief of Patrick Henry Walsh, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$15,000" and to insert in lieu thereof "\$3,000," so as to read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Patrick Henry Walsh, of Weehawken, N. J., out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, in full satisfaction of all claims against the United States for damages on account of injuries resulting from being struck by a United States mail truck, at Jersey City, N. J., on December 19, 1924.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NORTH CAROLINA

The Senate proceeded to consider the bill (H. R. 13655) to amend the act of May 10, 1928, entitled "An act to provide for the times and places for holding court for the eastern district of North Carolina" (45 Stat. 495), which was ordered to a third reading, read the third time, and passed.

SALE OF PROPERTY IN THE DISTRICT OF COLUMBIA

The bill (S. 5470) authorizing the sale of certain property no longer required for public purposes in the District of Columbia was announced as next in order.

The PRESIDENT pro tempore. That bill being identical with Calendar 1317, House bill 14340, if there is no objection, the House bill will be substituted for the Senate bill, and the Senate bill will be indefinitely postponed.

Mr. McKELLAR. Mr. President, I hope the Senator from Kansas will explain this bill.

Mr. CAPPER. Mr. President, these two bills are exactly alike. The purpose of the bill is to permit the District Com-

missioners to sell the old Potomac School property in southwest Washington. The property is no longer used for school purposes, and no suitable municipal use can be made of it.

The property is now located in the wholesale-market area. The commissioners are informed that a more advantageous price can be secured now than might be the case later. Several property owners are interested in its purchase.

The bill provides for sale of the property to the highest bidder "at public or private sale as in their—the commissioners'—opinion may be most advantageous to the District of Columbia." The auditor of the District of Columbia, at the committee's hearing on this bill, stated that the commissioners desired the authority to sell the property at private sale, if, after offering it for sale publicly, they received no satisfactory bids for purchase. Advertisement and an effort to sell the property publicly would precede any attempt to sell privately, the committee was assured.

Mr. McKELLAR. What the Senator has stated is not exactly what the bill would effect? The bill provides that the commissioners may sell the property at either public or private sale. No limit is put on the price. This is a very bad time for the sale of real estate, and it seems to me it would be a very unhappy time to put the property on the market.

The PRESIDENT pro tempore. Does the Chair understand the Senator to ask that the bill go over?

Mr. McKELLAR. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF BANKRUPTCY ACT

The bill (H. R. 14359) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, was announced as next in order.

The PRESIDENT pro tempore. That is the unfinished business, and will be passed over.

PROOF OF CLAIMS IN BANKRUPTCY CASES

The bill (S. 5394) to amend section 57 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended and supplemented, with respect to proof and allowance of claims by trustees for bondholders, was announced as next in order.

Mr. GEORGE. Let the bill go over.

Mr. METCALF. Mr. President, will not the Senator withhold his objection for a moment? If he will read the report, he will see that this is a very carefully drawn bill.

Mr. GEORGE. Mr. President, I withhold the objection; but I thought that, since the general matter of bankruptcy laws was before the Senate, this should go over to be considered in connection with the unfinished business.

The PRESIDENT pro tempore. The bill will go over.

SENECA INDIANS IN NEW YORK STATE

The bill (S. 5302) to amend the act entitled "An act to grant to the State of New York and the Seneca Nation of Indians jurisdiction over the taking of fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations," approved January 5, 1927, was considered. The bill had been reported from the Committee on Indian Affairs with amendments, on page 1, line 7, after the numerals "1927," to insert "(44 Stat. L. 932)"; and, in the same line, after the word "hereby," to strike out:

Amended to read as follows: "That the Seneca Nation of Indians shall have the exclusive right to take fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations in the State of New York without regard to the laws of such State relating to the taking of fish and game; and such Seneca Nation shall have the exclusive authority through its counsel to prescribe rules and regulations governing the taking of fish and game in such reservations and to punish any violations thereof, and to issue permits and licenses for such taking of fish and game;"

And to insert in lieu thereof "repealed," so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to grant to the State of New York and the Seneca Nation of Indians jurisdiction

over the taking of fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations," approved January 5, 1927 (44 Stat. L. 932), is hereby repealed.

Mr. KING. Mr. President, may I ask the Senator from North Dakota [Mr. FRAZIER] whether this does not deprive the Indians of a right which under existing law they have?

Mr. FRAZIER. No; it gives them the right to fish on their own land. The old law enacted in 1927 put the Seneca Indian Reservation under the State law. I have a letter this morning with reference to three Indians who have been arrested for fishing in little streams on their own reservation contrary to the State law. We had hearings and there were about a dozen Indians here with their attorney. I think it meets with general approval.

Mr. KING. I have had some complaints from the Indians in New York to the effect that they were not receiving adequate protection from the State. I approve of the bill.

Mr. COPELAND. Mr. President, I think I am in agreement with the purpose of the bill, and I shall not object to its passage. However, I want to serve notice that I may desire to ask for a reconsideration.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to repeal the act entitled 'An act to grant to the State of New York and the Seneca Nation of Indians jurisdiction over the taking of fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations,' approved January 5, 1927."

AMENDMENT OF DISTRICT TEACHERS' SALARY ACT

The bill (H. R. 12595) to amend the teachers' salary act of the District of Columbia, approved June 4, 1924, as amended, in relation to establishing the Wilson and Miner Teachers Colleges on a basis comparable with recognized standards for accredited institutions of like kind; to raising the trade or vocational schools to the level of junior high schools, and for other purposes, was announced as next in order.

Mr. KING. Over.

Mr. CAPPER. Mr. President, will the Senator withhold his objection for a moment?

Mr. KING. Very well.

Mr. CAPPER. We had long hearings on this bill. I do not recall whether the Senator was present or not, but the committee was unanimous in approving the bill. It does not cost any money, but it places these teachers in line for recognition.

Mr. KING. There has been some complaint to me about this bill as well as the one which was passed over previously; and this is not the one the Senator from Kansas has in mind, because this is the House bill. It is alleged that it contains some discriminations. In view of the fact that we are to have a morning hour next Monday, I suggest that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

ACTION FOR DAMAGES AGAINST THE DISTRICT OF COLUMBIA

The bill (H. R. 13750) to regulate the bringing of actions for damages against the District of Columbia, and for other purposes, was announced as next in order.

Mr. NORRIS. Mr. President, what was done with Order of Business 1314?

The PRESIDENT pro tempore. That was passed out of order. When we reached the identical Senate bill a substitution was made and this number was passed and the Senate bill indefinitely postponed.

Mr. NORRIS. I was asked by my colleague's secretary to object to a bill, and I am not sure whether this is the one or not. Let me ask the Senator from Kansas [Mr. CAPPER] about Order of Business No. 1314. What is the object of that bill?

Mr. CAPPER. The bill proposes to amend the law relating to estates of deceased persons which come under the police department. The Senate bill carries out the recommendations of the commissioners and federation of business associations, namely, that estates under \$100 in value remaining unclaimed with the police for a full year should

be exempted from the provisions of law requiring the probate court to appoint administrators. The present limit is \$50, and that is very unsatisfactory. The House bill proposes to raise the limit to \$100.

Mr. NORRIS. I do not think that is the bill to which my attention was directed. Is there a bill on the calendar reported from the District Committee in regard to the gas companies in the District of Columbia?

Mr. CAPPER. That has not as yet been reached.

Mr. McNARY. It is on page 17 of the calendar, Order No. 1339.

Mr. NORRIS. I presume that is the bill my colleague had in mind. I have no objection to the bill just reported.

There being no objection, House bill 13750 was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That no action shall be maintained against the District of Columbia for unliquidated damages to person or property unless the claimant within six months after the injury or damage was sustained, he, his agent, or attorney gave notice in writing to the Commissioners of the District of Columbia of the approximate time, place, cause, and circumstances of such injury or damage: *Provided, however,* That a report in writing by the Metropolitan police department, in regular course of duty, shall be regarded as a sufficient notice under the above provision.

The PRESIDENT pro tempore. Without objection, Calendar No. 1274, the identical Senate bill, is indefinitely postponed.

AMENDMENT OF DISTRICT OF COLUMBIA CODE

The bill (H. R. 14204) to amend section 653 of the Code of Law for the District of Columbia was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the provision of section 653 of the act of Congress approved March 3, 1901, entitled "An act to establish a Code of Law for the District of Columbia," as amended by the act of Congress approved August 15, 1911, which said provision reads: "Every such company or association shall pay to the collector of taxes for the District of Columbia a sum of money, as tax, equal to 1 per cent of all moneys received from members of policy or certificate holders within the District of Columbia, said tax to be paid on or before the 1st day of March of each year on the amount of such income for the year ending December 31, next preceding;" is hereby amended to read:

"Every such company or association shall pay to the collector of taxes for the District of Columbia a sum of money as taxes equal to 1½ per cent of its net premium receipts from business done in the District of Columbia, said taxes to be paid before the 1st day of March of each year on the amount of such income for the year ending December 31, next preceding, in lieu of all other taxes, except taxes upon real estate and any license fees provided for in sections 654 and 655; and upon the failure of any company to pay said taxes before March 1, as aforesaid, and license of said company shall be revoked and a penalty of 8 per cent per month shall be charged against said company, which, together with said taxes, shall be collected before said company shall be allowed to resume business."

The PRESIDENT pro tempore. Order of Business No. 1275, the bill (S. 5436) to amend section 653 of the Code of Law of the District of Columbia, is indefinitely postponed.

BILLS PASSED OVER

The bill (S. 5219) to provide funds for cooperation with the Minnesota State Board of Control in the extension of the Minnesota State Sanatorium at Ah-Gwah-Ching, Minn., was announced as next in order.

Mr. KING. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 5639) providing for loans or advances by the Reconstruction Finance Corporation for the purpose of securing the postponement of the foreclosure of certain mortgages for a period of two years, and for other purposes, was announced as next in order.

Mr. GEORGE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF FEDERAL FARM LOAN ACT

The bill (S. 5337) to amend the Federal farm loan act, as amended, to permit loans for additional purposes, to extend the powers of Federal land banks in the making of direct

loans, to authorize upon certain terms the reamortization of loans by Federal and joint-stock land banks, and for other purposes, was announced as next in order.

Mr. SMOOT. Over.

Mr. FLETCHER. Mr. President, may I ask the Senator to withhold his objection just a moment?

Mr. SMOOT. Very well.

Mr. FLETCHER. The bill has been approved by the Treasury Department and approved by the Federal Farm Board and approved by the various farm organizations. I do not know of anybody who is objecting to it. I can state in just a moment an analysis of its provisions.

Mr. SMOOT. Upon further examination I find the bill is not the one I thought it was. Therefore, I withdraw my objection.

The PRESIDENT pro tempore. The amendments will be stated.

The Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with amendments, on page 2, line 4, to strike out "such association to indorse such loans," and to insert "the bank to accept applications from such associations"; on page 7, line 11, after the word "collateral" to insert "if otherwise eligible under the provisions of such sections"; on page 7, line 15, to strike out "if said mortgage is otherwise eligible under the provisions of said sections"; and to insert in lieu thereof the following:

and to accept payment of the aggregate amount of such principal on an amortization plan by means of a fixed number of annual or semiannual installments sufficient to cover the interest payable thereon and in addition thereto such amounts to be applied on the principal after the expiration of the period of deferment as will extinguish the debt within an agreed period of not more than forty years from the date of such agreement.

On page 8, line 23, to strike out as follows:

(a) To pay off consolidated farm-loan bonds issued in behalf of said bank as they mature.

(b) To purchase at or below par consolidated Federal farm-loan bonds.

(c) To loan on first mortgages on farm lands within the land-bank district, qualified under this act as collateral security for the issue of farm-loan bonds.

(d) To purchase United States Government bonds.

The farm-loan bonds, first mortgages, United States Government bonds, or cash constituting the trust fund aforesaid shall be forthwith deposited with the farm-loan registrar as substituted collateral security in place of the sums paid on principal of the mortgages held by him in trust—

And to insert in lieu thereof—

in the manner provided in section 22 with respect to payments on principal of first mortgages held as collateral for farm-loan bonds of individual banks.

So as to make the bill read:

Be it enacted, etc., That section 7 of the Federal farm loan act, as amended (U. S. C., title 12, ch. 7, secs. 711-722), is amended by adding at the end thereof the following:

"That whenever it shall appear to the Federal Farm Loan Board that national farm-loan associations have not been formed in any locality in the continental United States, or that the farmers residing in the territory covered by the charter of a national farm-loan association are unable to apply to the Federal land bank of the district for loans on account of the inability of the bank to accept applications from such associations, the Federal Farm Loan Board may, in its discretion, authorize said bank to make direct loans to borrowers secured by first mortgages on farm lands situated within any such locality or territory. Except as herein otherwise specifically provided, all provisions of this act applicable with respect to loans made through national farm loan associations shall, in so far as practicable, apply with respect to such direct loans, and the Federal Farm Loan Board is authorized to make such rules and regulations as it may deem necessary with respect to such direct loans.

"The rate of interest on such direct loans may be 1½ per centum in excess of the rate of interest borne by the last preceding issue of farm-loan bonds of the Federal land bank making such loans.

"Each borrower who obtains a direct loan from a Federal land bank shall subscribe and pay for stock in such bank in the sum of \$5 for each \$100 or fraction thereof borrowed. Such stock shall be held by such Federal land bank as collateral security for the loan of the borrower and shall participate in all dividends. Upon full payment of the loan such stock shall, if still outstanding, be canceled at par, or, in the event that such stock shall have become impaired, at the estimated value thereof as approved by

the Federal Farm Loan Board, and the proceeds thereof shall be paid to the borrower.

"Each such borrower shall covenant in his mortgage that, whenever there are 10 or more borrowers who have obtained from a Federal land bank direct loans under the provisions of this section aggregating not less than \$20,000, and who reside in a locality which may, in the opinion of the Federal Farm Loan Board, be conveniently covered by the charter of and served by a national farm-loan association, he will unite with such other borrowers to form a national farm-loan association. Such borrowers shall organize the association subject to the requirements and the conditions specified in this section, so far as the same may be applicable, and in accordance with rules and regulations of the Federal Farm Loan Board. As soon as the organization of the association has been approved by the Federal Farm Loan Board, the stock in the Federal land bank held by each of the members of such association shall be canceled at par, and in lieu thereof the bank shall issue in the name of the association an equal amount of stock in said bank, which stock shall be held by said bank as collateral security as provided in this section with respect to other loans through national farm-loan associations. Thereupon there shall be issued to each such member an amount of capital stock in the association equal to the amount which he previously held in said bank, which stock shall be held by said association as collateral security as provided in section 8. The board of directors of said association shall adopt a resolution authorizing and directing its secretary-treasurer on behalf of said association to indorse, and thereby become liable for the payment of, the mortgages taken from its charter members by the Federal land bank. When it shall appear to the satisfaction of the Federal Farm Loan Board that all of the foregoing conditions have been complied with, and upon the granting of the charter by the Federal Farm Loan Board, the interest rate paid by each charter member of such association whose loan is in good standing shall, beginning with his next regular installment date, be reduced to the rate of interest paid by borrowers on new loans made through national farm-loan associations in the same Federal land bank district at the time the said loan was made to such charter member.

"Initial charges to be paid by applicants for direct loans from a Federal land bank shall not exceed amounts to be fixed by the Federal Farm Loan Board and shall in no case exceed the charges which may be made to applicants for loans and borrowers through national farm-loan associations under the provisions of sections 11 and 13."

Sec. 2. Paragraph fourth of section 12 of the Federal farm loan act, as amended (U. S. C., title 12, ch. 7, sec. 771), is amended to read as follows:

"Fourth. Such loans may be made for the following purposes and for no other:

"(a) To provide for the purchase of land for agricultural uses.

"(b) To provide for the purchase of equipment, fertilizers, and livestock necessary for the proper and reasonable operation of the mortgaged farm; the term 'equipment' to be defined by the Federal Farm Loan Board.

"(c) To provide buildings and for the improvement of farm lands; the term 'improvement' to be defined by the Federal Farm Loan Board.

"(d) To liquidate indebtedness of the owner of the land mortgaged incurred for agricultural purposes, or incurred prior to January 1, 1933.

"(e) To provide the owner of the land mortgaged with funds for general agricultural uses."

Sec. 3. Section 13 of the Federal farm loan act, as amended (U. S. C., title 12, ch. 7, sec. 781), is amended by adding at the end thereof the following new paragraph:

"Eleventh. When in the judgment of the directors conditions justify it, and with the approval of the Federal Farm Loan Board, to reamortize, in whole or in part, the aggregate amount remaining unpaid under the terms of any mortgage, and to accept payment of such aggregate amount on an amortization plan by means of a fixed number of annual or semiannual installments sufficient to cover the interest payable on the mortgage, and in addition thereto, such amounts to be applied upon the principal as will extinguish the debt within an agreed period of not more than 40 years from the date of the reamortization; to deposit such mortgage with the farm-loan registrar as collateral security for farm-loan bonds at an amount not exceeding the principal of the original loan remaining unpaid at the date of such reamortization; and with the approval of the Federal Farm Loan Board, to charge the borrower an amount not to exceed the actual cost incurred in connection with such reamortization."

Sec. 4. Paragraph second of section 14 of the Federal farm loan act, as amended (U. S. C., title 12, ch. 7, sec. 791), is amended to read as follows:

"Second. To loan on first mortgage except through national farm-loan associations as provided in section 7 and section 8 of this act, or through agents as provided in section 15, or direct to borrowers as provided in section 7."

Sec. 5. The fourth paragraph of section 19 of the Federal farm loan act, as amended (U. S. C., title 12, ch. 7, sec. 854), is amended to read as follows:

"No mortgage shall be accepted by a farm-loan registrar from a land bank as part of an offering to securing farm-loan bonds, either originally or by substitution, except first mortgages made subject to the conditions prescribed in sections 4, 7, 12, 15, and

16: *Provided*, That such registrar, when authorized and directed to do so by the Federal Farm Loan Board, shall accept or retain in his custody as collateral, if otherwise eligible under the provisions of such sections, any first mortgage in connection with which the land bank depositing the same has agreed to defer for a period of not more than five years the collection of the principal portion of maturing installments and to accept payment of the aggregate amount of such principal on an amortization plan by means of a fixed number of annual or semiannual installments sufficient to cover the interest payable thereon and in addition thereto such amounts to be applied on the principal after the expiration of the period of deferment as will extinguish the debt within an agreed period of not more than 40 years from the date of such agreement."

Sec. 6. The eleventh paragraph of section 21 of the Federal farm loan act, as amended (U. S. C., title 12, ch. 7, sec. 881), is amended by substituting in lieu thereof the following:

"When any Federal land bank shall desire to participate in a consolidated issue of farm-loan bonds it shall make application to the Federal Farm Loan Board for the approval on its behalf of such issue and tender to the registrar approved farm mortgages, or obligations of the United States Government, as security therefor, and no banks shall participate in such consolidated issue until such application has been approved by the Federal Farm Loan Board. Such approved farm mortgages or obligations of the United States Government shall be held by each farm-loan registrar as collateral security for consolidated bonds, separate and apart from the mortgages and/or Government bonds held by him as collective security for the bonds previously issued or assumed individually by the Federal land bank of his district. Amortization and other payments on the principal of first mortgages held by a farm-loan registrar as collateral security for the issue of consolidated farm-loan bonds shall constitute a trust fund in the hands of the Federal land bank receiving the same and shall be applied or employed in the manner provided in section 22 with respect to payments on principal of first mortgages held as collateral for farm-loan bonds of individual banks.

"Every Federal land bank shall notify the farm-loan registrar of the disposition of all payments made on the principal of mortgages held as collateral security for the issue of consolidated farm-loan bonds, and said registrar is authorized, at his discretion, to order any of such payments, or the proceeds thereof, wherever deposited or however invested, to be immediately transferred to his account as trustee aforesaid. Each bank shall maintain with the farm-loan registrar of its district collateral security for the issue of consolidated farm-loan bonds in an amount at least equal to the face amount of such bonds issued on its behalf.

"When any Federal land bank shall surrender to the farm-loan registrar of its district any consolidated Federal farm-loan bonds, canceled or uncanceled, said land bank shall be entitled to withdraw first mortgages and bonds previously pledged as collateral in connection with any issue of consolidated farm-loan bonds to an amount equal to the consolidated farm-loan bonds so surrendered and it shall be the duty of such registrar to permit and direct the delivery of such mortgages and bonds to such land bank.

"The Federal Farm Loan Board may at any time call upon any Federal land bank for additional security to protect the consolidated bonds issued under the provisions of this section. Each bank shall pay when due, without notice, all bonds and coupons issued on its behalf hereunder.

"Every Federal land bank shall have power to exchange consolidated farm-loan bonds for farm-loan bonds previously issued or assumed by it individually, with the approval of and under rules and regulations promulgated by the Federal Farm Loan Board."

The amendments were agreed to.

Mr. FESS. Mr. President, in looking over the bill I notice it involves a great many matters that are rather important. Has it been given such consideration that we ought to pass it?

Mr. FLETCHER. Absolutely. It was referred to a special subcommittee of the Banking and Currency Committee and hearings were had. It is approved by the Treasury, the Farm Loan Board, and by various farm organizations. I do not know of a single objection to it.

Mr. FESS. Was it reported unanimously?

Mr. FLETCHER. Yes; it was reported unanimously.

Mr. GEORGE. Mr. President, I do not rise to object, but I would like to have the Senator from Florida indicate briefly what the bill provides. I have not had an opportunity to examine it.

Mr. FLETCHER. The bill seeks to amend the Federal farm loan act, as amended, so as to permit loans by Federal land banks for additional purposes, to extend the powers of Federal land banks in the making of direct loans, to authorize upon certain terms the reamortization of loans by Federal and joint-stock land banks.

The first section of the bill provides that whenever it shall appear to the Federal Farm Loan Board that national

farm-loan associations have not been formed in any locality in the continental United States, or that farmers residing in the territory covered by the charter of a national farm-loan association are unable to apply to the Federal land bank of the district for loans on account of the inability of such association to indorse such loans, the Federal Farm Loan Board, may, in its discretion, authorize said banks to make direct loans to borrowers secured by first mortgages.

Another section provides for reamortization of such loans where payments have been made for a number of years and now they want an additional loan perhaps.

Another provision is that they may issue consolidated bonds by all the banks, thinking they may get a lower rate of interest.

Mr. GEORGE. Does it enlarge the powers of the Federal land bank?

Mr. FLETCHER. No.

Mr. GEORGE. Does it give them any greater privilege than they have now?

Mr. FLETCHER. No, except they can make individual loans in certain instances.

Mr. GEORGE. That is permissive, as I understand it?

Mr. FLETCHER. Yes.

Mr. GEORGE. I apprehend they would not exercise the privilege because \$125,000,000 was appropriated to them at the last session and yet the land banks have failed to make loans to farmers.

Mr. FLETCHER. I agree with the Senator. The bill has been thoroughly considered, and the Farm Loan Board and the agricultural associations appealed to us to pass the bill to give some measure of relief.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Florida yield?

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Arkansas?

Mr. FLETCHER. I yield.

Mr. ROBINSON of Arkansas. It also liberalizes the provisions of existing law with respect to the purposes for which loans may be made. Is not that true?

Mr. FLETCHER. That is true. The matter has been thoroughly examined, and there is no objection to the bill. It is a Senate bill and must go to the House. The House will have a chance to act on it next Monday if we pass it now. I hope the Senator will allow it to be passed.

Mr. GEORGE. I am not objecting to the bill, but I can not vote to enlarge the powers of the Federal land banks on the theory that they are going to be of assistance to the farmer. I well recall that we appropriated \$125,000,000 to the Federal land banks and they used it primarily for the benefit of themselves or the bondholders. I am not interested in giving them further power. This bill seems to me to be in the interest of the borrower if the land bank would exercise the additional power which is given. I am concerned only that further extension of power to the Federal land banks be not granted.

Mr. FLETCHER. It does not do that.

Mr. LONG. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Louisiana?

Mr. FLETCHER. I yield.

Mr. LONG. I would like to have the attention of the Senator from Georgia [Mr. GEORGE]. I understand that there were floated several million dollars last year for these Federal land banks, which ostensibly was for the purpose of easing collections against the farmers, but that a large part of that money was used to buy in some of their own unmatured bonds at depreciated prices. I have that information.

Mr. FLETCHER. I think the Senator is referring to the joint-stock land banks.

Mr. GEORGE. The Senator has in mind the joint-stock land banks.

Mr. ROBINSON of Arkansas. The joint-stock land banks did not receive any assistance from the Federal Government.

Mr. LONG. It was the Federal land banks in this instance.

Mr. ROBINSON of Arkansas. The appropriations that were made were \$25,000,000 for extensions and \$100,000,000, as I remember, for additional capitalization with a view of making new loans. I do not think it is accurate to say that they did not make extensions. They did make a great many extensions.

Mr. FLETCHER. Undoubtedly, and they made some new loans, too.

Mr. ROBINSON of Arkansas. They made few new loans, comparatively speaking.

Mr. GEORGE. They made so few that the appropriation turned out to be a grant merely for the benefit of the bondholders.

Mr. ROBINSON of Arkansas. It was confined to the Federal land banks and did not extend to the joint-stock land banks.

Mr. GEORGE. The joint-stock land banks were not the beneficiaries of the appropriation made at the last session of Congress.

Mr. LONG. I have a telegram this morning from a banker in Lafayette, La., who says that for the Federal land bank of the New Orleans district there was allotted \$12,000,000 for the purpose of granting relief to the farmers; that was the share of that district of the money appropriated. I have not looked it up to see just how accurate it is, but instead of making this kind of extensions to the farmers, they had taken a great deal of this money and bought up their own unmatured bonds at depreciated prices, which they now could buy for much less. That is the information coming to me directly.

Mr. FLETCHER. I think the Senator's correspondent is in error. They have not bought up their unmatured bonds at all.

Mr. LONG. I checked that up with another Member of the Senate who has checked it up, the Senator from Mississippi, and he informed me that according to his understanding that was true; that they had been doing that.

Mr. FLETCHER. I think the Senator is mistaken about that. This has nothing to do with what he has in mind.

The PRESIDENT pro tempore. The question is, Shall the bill be ordered to be engrossed for a third reading, read the third time, and passed?

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FLETCHER. I ask unanimous consent to have inserted in the RECORD an analysis of the bill and also a letter from Mr. Chester H. Gray.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The analysis and letter are as follows:

ANALYSIS OF BILL S. 5337

The bill seeks to amend the Federal farm loan act, as amended, so as to permit loans by Federal land banks for additional purposes, to extend the powers of Federal land banks in the making of direct loans, to authorize upon certain terms the reamortization of loans by Federal and joint-stock land banks, and "for other purposes."

The first section of the bill would provide that whenever it should appear to the Federal Farm Loan Board that national farm-loan associations have not been formed in any locality in the continental United States, or that farmers residing in the territory covered by the charter of a national farm-loan association are unable to apply to the Federal land bank of the district for loans on account of the inability of such association to indorse such loans, the Federal Farm Loan Board may, in its discretion, authorize said bank to make direct loans to borrowers secured by first mortgages. With certain exceptions mentioned in the bill, these direct loans would be made in accordance with the provisions of the farm loan act applicable to loans made through national farm-loan associations. The rate of interest paid by borrowers would, under the terms of the bill, be 1½ per cent in excess of the rate borne by the last preceding issue of farm-loan bonds of the Federal land bank making the loans.

Each borrower who would obtain a direct loan from a Federal land bank would be required to subscribe to the stock of the bank in the sum of \$5 for each \$100 or fraction thereof borrowed. This stock would be held by the bank as collateral security for the loan.

The bill would also require each borrower to covenant in his mortgage that, whenever 10 or more borrowers who have obtained from a Federal land bank direct loans aggregating not less than \$20,000, and who reside in a locality which may, in the opinion of the Federal Farm Loan Board, be conveniently covered by the

charter of and served by a national farm-loan association, he would unite with such other borrower to form a national farm-loan association. The section would provide also that as soon as the organization of the association had been approved by the Federal Farm Loan Board, the stock in the Federal land bank held by each of the members would be canceled at par, and in lieu thereof such members would receive an equal amount of stock in the association; and that, upon the granting of the charter by the Federal Farm Loan Board, the interest rate paid by each charter member of the association whose loan is in good standing must, beginning with his next regular installment date, "be reduced to the rate of interest paid by borrowers on new loans made through national farm-loan associations in the same Federal land bank district at the time the said loan was made to such charter member."

Under the terms of the proposed bill, charges to be paid by applicants for direct loans from a Federal land bank must not exceed amounts to be fixed by the Federal Farm Loan Board and must in no case exceed the charges which may be made against applicants for loans and borrowers through national farm-loan associations.

The enactment of this provision would permit the Federal land banks to extend credit to many deserving borrowers residing in various sections of the United States. At present these borrowers are unable to obtain loans through the national farm-loan associations serving these localities due to the financial difficulties in which the associations find themselves. In some instances situations of this character have been met by extending the territory of other associations in good financial condition or through the formation of new associations. There are, however, many localities in which neither of these methods can be followed. Therefore, in order to preserve the cooperative features of the Federal land bank system it would seem to be desirable to permit the banks to make direct loans only under the conditions stated in the bill.

Section 2 would amend section 12 of the Federal farm loan act by removing some of the restrictions with respect to the purposes for which loans may be made by Federal land banks. At present section 12 of the act provides that no loans shall be made by a Federal land bank to liquidate indebtedness of the owner of the land mortgage-incurred prior to January 1, 1922. The proposed amendment to section 12 would permit the banks to make loans to liquidate indebtedness incurred prior to January 1, 1933, and to make loans to provide the owner of the land mortgaged with funds for general agricultural uses. If the amendment is adopted, it will permit the banks to make loans to a number of deserving borrowers who are not eligible to borrow under the present law and are now unable to obtain funds from other sources to carry on their necessary operations.

Section 3 would amend section 13 of the act by adding at the end thereof a new provision which would permit the banks, with the approval of the Federal Farm Loan Board, to reamortize, in whole or in part, the aggregate amount remaining unpaid under the terms of any mortgage and to accept payment of such amount over an agreed period of not more than 40 years from the date of the reamortization. This amendment would serve a very useful purpose. At present the banks hold a great many mortgages in connection with which they have been obliged to pay taxes on the property and premiums on fire-insurance policies covering the insurable improvements thereon. Many of these mortgages also have an accumulation of delinquent installments. Due to the existence of junior liens on the property and for other reasons it is not possible in a number of cases to refinance the borrower's indebtedness by making him a new loan. In order to permit such borrowers to retain their homes it is necessary to spread out the payment of their accumulated indebtedness over a considerable period of time and to reduce, if possible, the amount of their semiannual installments required by their mortgages. Ordinarily, in order to afford any substantial relief to borrowers under such circumstances, it would be necessary for the banks to extend the time of payment beyond the original life of the loan. Extensions of this character would be permitted under the proposed amendment.

In every case where a reamortization agreement of this character is made varying the terms of an existing mortgage it would be necessary, of course, for the bank to obtain an opinion of its counsel stating that the agreement had not affected the priority of the mortgage; that the mortgage would continue to be a valid first lien and that the agreement would be valid and binding on all parties. In most States the extension of the original maturity date of amounts due under the terms of a mortgage does not affect its status as a first lien.

Section 5 would amend section 19 of the Federal farm loan act so as to permit a Federal land bank to defer, over a period of not more than five years, the collection of the principal portion of the maturing installments of its mortgages without affecting their eligibility as collateral for farm-loan bonds. Under the provisions of the farm loan act the banks undoubtedly have the power to waive the collection of principal payments where conditions justify such action. On the other hand, the law requires that loans made by Federal land banks shall be repaid on an amortization plan "by means of a fixed number of annual or semiannual installments" as will extinguish the debt within an agreed period of not less than 5 or more than 40 years. In view of this provision it is felt that, if a bank should agree to defer the collection of the principal portion of maturing installments over a period of years, the eligibility of the mortgage as collateral for bonds might be affected. By permitting the banks to defer prin-

cipal payments and at the same time not affect the eligibility of the mortgages as collateral many borrowers would be permitted to reduce the amount of their installment payments during this period of disastrously low commodity prices. The following figures will show the extent of relief which this plan would provide under various circumstances:

Age of loan (years)	Number of installments paid	Total amount of next semi-annual installment	Interest portion of next installment	Principal portion of next installment	
				Amount	Per cent of total installment
(1)	(2)	(3)	(4)	(5)	(6)
Loan of \$10,000 on standard plan with interest at 6 per cent repayable in 33 years by semi-annual installments:					
5.....	10	\$350.00	\$282.80	\$67.20	19.2
10.....	20	350.00	259.69	90.31	25.8
15.....	30	350.00	228.64	121.36	34.7
Loan of \$10,000 on standard plan with interest at 5½ per cent repayable in 34½ years by semiannual installments:					
5.....	10	325.00	259.42	65.58	20.2
10.....	20	325.00	238.98	86.02	26.5
15.....	30	325.00	212.17	112.83	34.7
Loan of \$10,000 on standard plan with interest at 5½ per cent repayable in 20 years by semiannual installments:					
5.....	10	415.40	231.24	184.16	44.3
10.....	20	415.40	173.85	241.55	58.1
15.....	30	415.40	98.57	316.83	76.3
Loan of \$10,000 on standard plan with interest at 5 per cent repayable in 36 years by semiannual installments:					
5.....	10	300.00	236.00	64.00	21.3
10.....	20	300.00	218.07	81.93	27.3
15.....	30	300.00	195.12	104.88	35.0
Loan of \$10,000 on Springfield plan with interest at 5½ per cent repayable in 33 years by semiannual installments:					
5.....	10	383.75	233.75	150.00	39.1
10.....	20	342.50	192.50	150.00	43.8
15.....	30	301.25	151.25	150.00	49.8
Loan of \$10,000 on Springfield plan with interest at 5 per cent repayable in 20 years by semiannual installments:					
5.....	10	456.25	206.25	250.00	54.8
10.....	20	387.50	137.50	250.00	64.5
15.....	30	318.75	68.75	250.00	78.4

It will be seen from the foregoing figures that in the case of the loan of \$10,000 bearing 6 per cent interest and repayable in 33 years by semiannual installments and has been in existence for a period of 5 years, by waiving the collection of principal the borrower's installment would be reduced 19.2 per cent. If the loan had run for 10 years, a 25.8 per cent saving would be effected. If the loan was 15 years old, the saving would amount to 34.7 per cent.

A general average of the relative extent of relief which would be afforded by this plan is furnished by payment of the principal of delinquent installments and total delinquent installments as of October 31, 1932. The principal portion of delinquent installments of the 12 Federal land banks represented 27.2 per cent of their total delinquencies. On the average therefore the plan would provide relief to the extent of 27.2 per cent of present installment payments. It would not be possible, of course, for the banks to announce a general policy of waiving principal payments on their loans. Each case would have to be considered on its individual merits.

Section 6 proposes certain amendments to the provisions of the act with respect to the issuance of consolidated bonds. These amendments are in the main intended merely to clarify the present procedure provided in the law. However, the last paragraph of the section is new and would permit the Federal land banks to exchange consolidated bonds for bonds previously issued by them individually. Consolidated bonds would be the joint and several obligations of all of the 12 Federal land banks. It is the opinion of some of those who have made a close study of the situation that it might be possible for the banks to refinance their high-rate bonds through the issuance of lower-rate consolidated bonds. On September 30, 1932, the banks had outstanding in excess of \$160,000,000 of 5 per cent bonds. On the same date they had outstanding in excess of \$131,000,000 of 4.75 bonds. If the banks are enabled to refinance these high-rate bonds through the issuance of lower-rate consolidated bonds, the saving thus effected would inure to the benefit of the borrowers.

WASHINGTON, D. C., February 21, 1933.

Senator DUNCAN U. FLETCHER,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR FLETCHER: I am glad to know that your measure, S. 5337, has been reported to the Senate by the Banking and Currency Committee of the Senate.

The American Farm Bureau Federation ordinarily in times past has not been in favor of direct loans in the farm-loan system, but as this proposition is set up in your measure, requiring each borrower to take stock in the system and to form a new national farm-loan association under certain conditions, it seems to remove any opposition to direct loans which farmers might have expressed.

What we are most desirous of accomplishing in these times of great need for more elastic credit facilities is to reach out to the individual farmer who needs better treatment in regard to his farm mortgages. This seems to be well handled in your pending measure and does not sacrifice the cooperative or mutual aspects of the Federal farm loan act, as originally designed by its writers years ago.

Trusting you can get action upon this measure in the near future, and with highest personal regards, I am,

Very truly yours,

AMERICAN FARM BUREAU FEDERATION,
CHESTER H. GRAY,
Washington Representative.

COLLECTION OF JUDGMENTS AGAINST PAN AMERICAN PETROLEUM CO.

The Senate proceeded to consider the joint resolution (S. J. Res. 253) authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered, which had been reported from the Committee on Public Lands with an amendment, on page 2, line 11, after the words "sum of," to strike out the word "approximately," so as to make the joint resolution read:

Resolved, etc., That the Attorney General of the United States, with the concurrence of the Secretary of the Navy, be, and he is hereby, authorized, in connection with collection of amounts due the United States of America under a certain judgment for \$9,277,666.17 entered in the office of the clerk of the District Court of the United States for the Southern District of California at Los Angeles on January 14, 1933, against the Pan American Petroleum Co., a corporation, to release from claim or lien under said judgment such part or portions of the property and assets of the said Pan American Petroleum Co. and the Richfield Oil Co. of California, in such manner and with such reservations as shall seem to him proper and advisable, in consideration of payments to the United States to apply upon said judgment, of not less than the sum of \$5,000,000, and in connection therewith to release any claims of the United States against purchasers of oil and petroleum products from the leases commonly known as "E," "I," and "G" leases, or also known as Visalia 010042, 010043, and 010097 leases in naval petroleum reserve No. 1, Kern County, Calif., and to consent, in the premises, to the assignment of other oil and gas leases in said naval petroleum reserve No. 1, now part of the unmortgaged assets of Pan American Petroleum Co., with the concurrence of the Secretary of the Navy and to the assignment of other oil and gas leases, also part of the unmortgaged assets of Pan American Petroleum Co., of the United States outside the said naval petroleum reserve No. 1, with the consent of the Secretary of the Interior, said assignments to be authorized only to assignees otherwise duly qualified under existing laws.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 5609) to amend the emergency relief and construction act of 1932 was announced as next in order.

Mr. KING. As I understand the subject matter of that bill has been disposed of, and I ask that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

HARVEY COLLINS

The bill (H. R. 2213) for the relief of Harvey Collins was announced as next in order.

Mr. KING. Over.

Mr. McNARY. Mr. President, will the Senator withhold his objection for a moment?

Mr. KING. I withhold it.

Mr. McNARY. Mr. President, I am not a member of the Naval Affairs Committee, but the Senator from Maryland [Mr. GOLDSBOROUGH], who is unavoidably absent, is very much interested in the bill. I have had time only hastily to read the bill, but I am impressed with its merit, and I hope the Senator from Utah will permit it to receive consideration at this time.

Mr. KING. Mr. President, I find the Secretary of the Navy, Mr. Adams, has recommended against the bill. I have read the report, and it seems to me that there is scarcely sufficient reason to justify the measure; and, in view of the recommendation against it, I suggest that it be passed over, and we may take it up later.

The PRESIDENT pro tempore. The bill will be passed over.

BILLS PASSED OVER

The bill (H. R. 9231) for the relief of George Occhionero was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 6292) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 11504) authorizing the sale of certain Government property in the District of Columbia was announced as next in order.

Mr. McKELLAR. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

DR. M. M. BRAYSHAW

The bill (H. R. 3607) for the relief of Dr. M. M. Brayshaw was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. M. M. Brayshaw, Loma Linda, Calif., the sum of \$210 in full settlement of all claims for professional service, hospital care, nursing, medicines, etc., furnished in 1927 and 1928 to Charles Dixon, a civilian prisoner of the United States Marine Corps Detachment at El Callo, Nicaragua: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

BILL PASSED OVER

The bill (H. R. 2872) for the relief of the Dongji Investment Co. (Ltd.) was announced as next in order.

Mr. McKELLAR. I think a similar Senate bill was passed over a while ago, and I will ask that this bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. LOGAN subsequently said: Mr. President, I should like to ask the Senator from Tennessee [Mr. McKELLAR] to permit us to return to Order of Business No. 1331, being House bill 2872. I do not feel that there is any reason why anyone should object to that measure, and I think it ought to be passed.

Mr. McKELLAR. In view of the explanation made by the Senator from Kentucky, I will be glad to withdraw the objection.

The PRESIDENT pro tempore. Is there objection to returning to Calendar No. 1331 and considering the bill at this time?

There being no objection, the bill (H. R. 2872) for the relief of the Dongji Investment Co. (Ltd.) was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Dongji Investment Co. (Ltd.), an Hawaiian corporation, organized under the laws of the Territory of Hawaii, be, and it is hereby, released from any and all claims for damages, in excess of the amount of the performance bond given by such company, which the United States of America may have against it arising out of its breach of contract No. N311S-2830, dated March 18, 1929, by and between the Dongji Investment Co. (Ltd.) and the United States of America.

MAJ. L. D. WORSHAM

The bill (H. R. 3905) for the relief of Maj. L. D. Worsham was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500, in full settlement of all claims against the Government of the United States, to Maj. L. D. Worsham for moneys deducted from his salary on account of loss of funds in the disbursing account, Corps of Engineers, War Department, September 14, 1928: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

FIRST NATIONAL BANK, JUNCTION CITY, ARK.

The bill (H. R. 8216) for the relief of the First National Bank of Junction City, Ark., was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$654.17, to the First National Bank of Junction City, Ark., in full settlement against the Government for money that was paid to Joe F. Tullis, who was postmaster at Upland, Union County, Ark., on post-office money orders deposited at said First National Bank of Junction City at different times and for different amounts, aggregating \$654.17, which money orders were cashed by said bank, and which had been fraudulently issued by the postmaster without the knowledge of said bank that they were fraudulent. All of said money orders were paid by the Government and the money was subsequently refunded by said bank: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

LAURA J. CLARKE

The bill (H. R. 8800) for the relief of Laura J. Clarke was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Laura J. Clarke, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500, in full settlement of all claims for injuries sustained by reason of the explosion of munitions at the naval ammunition depot at Lake Denmark, N. J., in 1926: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

EMILY ADDISON

The bill (H. R. 9336) for the relief of Emily Addison was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby appropriated, and the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of \$1,500 to Emily Addison in full for all claims she may have against the Government on account of injuries received by her on the 14th day of August, 1919, by being struck by a falling airplane, then and there owned and operated by the Government of the United States: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, with-

hold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

MERCHANTS AND FARMERS BANK, JUNCTION CITY, ARK.

The bill (H. R. 9476) for the relief of the Merchants & Farmers Bank, Junction City, Ark., was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,044.99 to the Merchants & Farmers Bank, of Junction City, Ark., in full settlement against the Government for money that was paid to Joe F. Tullis, who was postmaster at Upland, Union County, Ark., on post-office money orders deposited in said Merchants & Farmers Bank at different times and for different amounts, aggregating \$3,044.99, which money orders were cashed by said bank, and which had been fraudulently issued by the postmaster without the knowledge of said bank that they were fraudulent. All of said money orders were paid by the Government and the money was subsequently refunded by said bank: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

GEORGE ROGERS CLARK MEMORIAL AT VINCENNES, IND.

The Senate proceeded to consider the bill (S. 5625) authorizing an appropriation to provide for the completion of the George Rogers Clark Memorial at Vincennes, Ind., which had been reported from the Committee on the Library with an amendment, on page 2, line 5, after the word "resolution," to insert "as amended by section 2 of the act approved February 28, 1931," so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$250,000, or so much thereof as may be necessary, for the completion of the memorial authorized by section 2 of the joint resolution approved May 23, 1928, to be erected at or near the site of Fort Sackville, in the city of Vincennes, Ind., in commemoration of the winning of the old Northwest and the achievements of George Rogers Clark and his associates in the War of the American Revolution. Such sums as may be appropriated pursuant to the provisions hereof shall be expended by the George Rogers Clark Sesquicentennial Commission in the manner provided in section 2 of such joint resolution as amended by section 2 of the act approved February 28, 1931.

The amendment was agreed to.

Mr. REED. Mr. President, will the Senator from Ohio explain why it is necessary to spend that large amount at this time?

Mr. FESS. Mr. President, the construction of the memorial is nearing completion, but it can not be completed within the present year, and it is necessary to add the amount which the Senate originally provided and which was omitted by the House. From the beginning the Senate, without opposition, but unanimously, authorized the full amount, but each time the matter was considered by the House it cut off a portion of the appropriation on the ground that there should be appropriated only enough to keep construction going. It will require the amount of money provided in the bill now before us. It is not in addition to the amount the Senate authorized to complete the work, and it is quite important that the bill should be passed, because we can not allow the memorial to remain uncompleted.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREMONT NATIONAL FOREST

The bill (S. 3009) to extend the boundaries of the Fremont National Forest was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That any lands which are in private ownership within 6 miles of the boundaries of the Fremont National

Forest, Oreg., which are found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes may be offered in exchange under the provisions of the act of March 20, 1922 (42 Stat. 465), and upon acceptance of title shall become parts of the Fremont National Forest. Lands in public ownership within 6 miles of the boundaries of the Fremont National Forest and found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes may be added to the Fremont National Forest by proclamation of the President, subject to any valid existing claims.

Mr. KING. Mr. President, may I inquire of the Senator from Oregon if this bill merely proposes to make an exchange for land outside the forest?

Mr. McNARY. This is a department bill. It provides for the exchange of privately owned land for Government land within 6 miles of the exterior boundaries of the national forest. It is proposed in the interest of fire protection and the better administration of the national forest.

Mr. KING. I suppose if any additional expense is required it will come out of the general fund for the acquisition of land?

Mr. McNARY. The bill does not contemplate any expenditure. It follows the general act of 1922 and applies it, as must be done, to each specific unit in the national forest. This one happens to be in the southern part of my own State.

Mr. McKELLAR. The bill will not require an additional appropriation?

Mr. McNARY. Not at all.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 13853) to authorize the merger of the Georgetown Gaslight Co. with and into Washington Gas Light Co., and for other purposes, was announced as next in order.

Mr. NORRIS. Mr. President, on behalf of my colleague [Mr. HOWELL], who is detained from the Senate on account of illness, I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

ANNUAL STATEMENTS OF PUBLISHERS

The bill (H. R. 11270) to amend section 2 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, I will inquire what is the nature of that bill?

Mr. ODDIE. Mr. President, it is a measure that changes existing law so that the owners of publications entered as second-class matter shall file with the Post Office Department an annual statement instead of a semiannual statement as at present. Then an amendment is proposed making the filing date October 1 instead of July 1. That is for the benefit of newspapers which are required to include a statement as to circulation. The figures as to circulation are now prepared as of October 1, and it is believed that the work of preparing such annual statements in newspaper offices would be simplified if the statements were filed on that date.

Mr. KING. Mr. President, I inquire if that bill has been recommended by the department?

Mr. ODDIE. It has been recommended by the department.

Mr. ASHURST. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Arizona?

Mr. ODDIE. I yield.

Mr. ASHURST. I have no objection, provided the bill does not apply to weekly newspapers.

Mr. ROBINSON of Arkansas. I think it does.

Mr. ODDIE. It refers to all publications entering the mail as second-class matter.

Mr. ASHURST. I object if it applies to weekly newspapers. I do not wish to object otherwise.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The Chair will state to the Senator from Arizona that second-class mail matter includes all periodicals weekly, daily, semimonthly and monthly; second class includes them all.

Mr. ODDIE. I will state to the Senator from Arizona that that bill, as I understand, proposes a change which will be for the convenience of the publishers of the country and will save them a duplication of effort and considerable money. It will enable them to file a report once a year instead of twice a year.

Mr. ASHURST. Mr. President, I am heartily in sympathy with the general purpose of the bill, but I move to amend by inserting the following proviso:

Provided, however, That this act shall not apply to weekly newspapers.

Mr. ROBINSON of Arkansas. Mr. President, I think that is the very class of publications at which it is principally directed. I believe the bill had better go over so that a little opportunity may be afforded to study it.

The PRESIDENT pro tempore. Does the Senator from Arizona wish a vote on his amendment?

Mr. ASHURST. Mr. President, I think that a bill which would require weekly newspapers to make returns as to their circulation would not, without further investigation, be fair. I will look into the bill, and the next time calendar is called probably I shall be perfectly willing to withdraw the objection.

Mr. MOSES. Mr. President, while the Senator is doing that, may I say to him that the language which the Senator proposes in his amendment providing that the provisions of this bill shall not apply to weekly newspapers—

Mr. ASHURST. I did not hear the Senator and I know that is my loss.

Mr. MOSES. I am sorry that I have a cold. The fact is that there are many weekly newspapers having a national circulation which runs up into the hundreds of thousands, or even millions, in case of one or two of them.

Mr. ASHURST. Yes.

Mr. MOSES. And I am sure those are not the periodicals the Senator is seeking to benefit by his amendment. The Senator, I assume, is seeking to make it easier or more beneficial by this legislation for the small country weekly.

Mr. ASHURST. That is what I have in mind.

Mr. MOSES. Therefore, if the Senator is going to study the bill with a view to offering an amendment the next time the calendar is called, which I understand is to be on Monday, I offer him this suggestion in order that the language which he will propose in his amendment will not be such as to do the thing I have indicated.

Mr. ASHURST. I regard the Senator from New Hampshire as an expert in matters with respect to newspaper publications, and I am inclined to take his view; but let the bill go over a few moments, until I can have an opportunity to look into it.

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). The bill will be passed over.

Mr. ROBINSON of Arkansas. Mr. President, the present law, as I remember, requires this information to be filed, and I think it properly should do so. The change is that under the existing law the filings must be semiannual, whereas under the proposed change in the law, under the pending bill, the filings may be annual.

Mr. MOSES. Yes; and, if the Senator will permit me, it changes the month in which the filing shall be made.

Mr. ROBINSON of Arkansas. Yes; the time of filing does not conform to the fiscal year.

Mr. MOSES. No; that is true.

Mr. ASHURST. Mr. President, I will withdraw the objection.

The PRESIDING OFFICER. The Senator withdraws his objection.

The Senate proceeded to consider the bill, which had been reported from the Committee on Post Offices and Post Roads with an amendment, on page 2, line 5, after the words

"day of" to strike out "July" and insert "October," so as to make the bill read:

Be it enacted, etc., That the second paragraph of section 2 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912 (37 Stat. 553; U. S. C., title 39, secs. 233 and 234), is amended to read as follows:

"That it shall be the duty of the editor, publisher, business manager, or owner of every newspaper, magazine, periodical, or other publication to file with the Postmaster General and the postmaster at the office at which said publication is entered, not later than the 1st day of October of each year, on blanks furnished by the Post Office Department, a sworn statement setting forth the names and post-office addresses of the editor and managing editor, publisher, business managers, and owners, and, in addition, the stockholders, if the publication be owned by a corporation; and also the names of known bondholders, mortgagees, or other security holders; and also, in the case of daily newspapers, there shall be included in such statement the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding 12 months: *Provided*, That the provisions of this paragraph shall not apply to religious, fraternal, temperance, and scientific, or other similar publications: *Provided further*, That it shall not be necessary to include in such statement the names of persons owning less than 1 per cent of the total amount of stock, bonds, mortgages, or other securities. A copy of such sworn statement shall be published in the second issue of such newspaper, magazine, or other publication printed next after the filing of such statement. Any such publication shall be denied the privileges of the mail if it shall fail to comply with the provisions of this paragraph within 10 days after notice by registered letter of such failure. That all editorial or other reading matter published in any such newspaper, magazine, or periodical for the publication of which money or other valuable consideration is paid, accepted, or promised shall be plainly marked 'advertisement.' Any editor or publisher printing editorial or other reading matter for which compensation is paid, accepted, or promised without so marking the same, shall upon conviction in any court having jurisdiction be fined not less than \$50 nor more than \$500."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

R. S. HOWARD CO. (INC.)

Mr. KING. Mr. President, a few moments ago Senate bill 4326, Order of Business No. 1260, was called, and I objected to its consideration. Since the objection I have had placed in my hands a memorandum showing that the Supreme Court of the United States reversed the lower court with respect to a case involving the same legal principles. Therefore, under that ruling, the claim would be a just claim. I withdraw my objection and suggest that we recur to that bill.

The PRESIDING OFFICER. Without objection, the Senate will recur to Senate bill 4326, which will be read.

The Senate proceeded to consider the bill (S. 4326) for the relief of R. S. Howard Co. (Inc.), which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the words "sum of," to strike out "\$32,827.51" and insert "\$20,827.51," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$20,827.51 to R. S. Howard Co. (Inc.), of New York City, as just compensation and in full settlement and satisfaction of the damages and/or losses incurred and suffered by it in complying with United States Navy order No. N-3255, dated June 18, 1918.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 964) authorizing and directing the Secretary of Agriculture to investigate all phases of taxation in relation to agriculture was announced as next in order.

Mr. KING. I object.

The PRESIDING OFFICER. The bill will be passed over.

SALE OF SURPLUS COAL

The Senate proceeded to consider the joint resolution (S. J. Res. 255) authorizing the Secretary of the Navy to

sell surplus coal at nominal prices for distribution to the needy, which was read, as follows:

Resolved, etc., That the Secretary of the Navy is hereby authorized, under such regulations as he may prescribe, to sell, at nominal prices, to recognized charitable organizations, to States and subdivisions thereof, and to municipalities such excess coal that is not needed as a war reserve, and as may be available and required for distribution to the needy: *Provided*, That such coal shall be sold only after agreement by the purchaser that it shall not be resold but shall be given absolutely free to the needy: *Provided further*, That such coal, as far as practicable, shall be allotted proportionately among communities reasonably available therefor.

Mr. KING. Mr. President, I desire to ask the Senator from California [Mr. JOHNSON], who introduced the joint resolution, a question regarding it. In view of the fact that the coal alleged to be unnecessary is located in two places only, how will it be distributed to those parts of the United States where coal is needed? At San Diego not much coal is needed.

Mr. JOHNSON. True.

Mr. KING. And if this is for the purpose of helping the needy, how will the coal be distributed?

Mr. JOHNSON. That is the only purpose of the joint resolution. It would be distributed, of course, to those who could be reached readily.

It happens that this is a measure that was brought to me by Congressman CLARENCE LEA, of California, in whose district a very large part of this coal is situated. The coal that he seeks to have distributed to the needy is coal which has been stored in the open air for 10 years and unused, and the Navy Department has assented to the measure.

Mr. KING. I merely want to make the observation that at nearly every session—in fact, several times each session—we have bills authorizing the giving away or distribution of unused properties and commodities in the hands of the Army and the Navy, showing that they purchase improvidently, spend millions unnecessarily, and then come and ask permission to give away the commodities.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

QUARTERLY PAYMENT OF TAXES IN THE DISTRICT

The bill (H. R. 14392) to authorize the payment of taxes and assessments on family dwelling houses in the District of Columbia in quarterly installments, and for other purposes, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That each fiscal year, commencing with the fiscal year ending June 30, 1934, the assessor of the District of Columbia shall send to the owner of each family dwelling house occupied by such owner upon written application therefor an itemized statement of the taxes payable with respect to such dwelling house not less than 30 days prior to the time when the first installment of real-estate taxes for such fiscal year becomes due and payable. Such statement shall include all real-estate taxes which are due and payable in such fiscal year and all installments of special assessments which have been levied, charged, or assessed prior to, and are due and payable in, such fiscal year, with respect to the family dwelling house occupied by the owner. Such taxes and assessments shall be payable, at the election of the taxpayer, in four equal installments, in the months of September, December, March, and June, and no interest shall be payable with respect to any such installment unless it is unpaid after the time it is due. Any real-estate tax or special assessment or any installment thereof with respect to any family dwelling house occupied by the owner thereof not included in such statement shall not be due or payable during the fiscal year for which the statement is sent; and any such tax or assessment or any installment thereof otherwise chargeable, assessable, or payable during such fiscal year shall be included in the statement for the next succeeding fiscal year.

SEC. 2. The collector of taxes of the District of Columbia shall extend the time for the payment of real-estate taxes and special assessments payable after January 1, 1933, on any family dwelling house occupied by the owner thereof, or any installment of such taxes or assessments, for not more than 90 days, if written application for such extension is filed with the collector before such taxes or installment thereof are due. Such extension shall be granted only if, in the judgment of the collector of taxes, satisfactory evidence is presented by the owner that, through unemployment or other emergency, the owner is unable to make such payment. No such application shall be granted unless the application is accompanied by the payment, to the collector, of interest at the rate of 6 per cent per annum on the amount of the taxes

or assessments or installments thereof for the time of the extension applied for. In any case in which the amount of the tax or assessment or installment due is paid prior to the expiration of the period of the extension there shall be deducted from the amount payable an amount equal to such part of the interest payable with respect thereto as represents the unexpired portion of the period of the extension.

SEC. 3. After the date of enactment of this act no family dwelling house occupied by the owner thereof shall be sold for delinquent personal or real-estate taxes or special assessments unless notice has been personally served upon such owner or sent by registered mail, addressed to him at such dwelling house, not less than 30 days prior to the date of such sale.

SEC. 4. No sale for delinquent personal or real-estate taxes or special assessments with respect to a family dwelling house owned by the occupier thereof shall be valid if such sale is in consequence of an error or omission in the computation of the amount of taxes due thereon.

SEC. 5. In the case of taxes with respect to any family dwelling house occupied by the owner thereof due and payable during the second half of the fiscal year ending June 30, 1933, the assessor shall send an itemized statement of such taxes to the owner upon request made by the owner and filed with the assessor not later than midnight, March 15, 1933. Such statement shall include all real-estate taxes or installments thereof due and payable during the second half of such fiscal year and all installments of special assessments which have been assessed, charged, or levied prior to, and are due and payable in, the second half of such fiscal year, with respect to the family dwelling house occupied by the owner. Such taxes and assessments or installments thereof shall be payable in the month of April, 1933, or at the election of the taxpayer in two equal installments, in the months of April and June, 1933, and no interest shall be payable with respect to any such installment unless it is unpaid until after the time it is due. Such statement shall also show all arrears in taxes, special assessments, or installments thereof, with respect to the family dwelling house of such owner, due and payable prior to the last half of the fiscal year ending June 30, 1933, and all unredeemed certificates of sale issued with respect to the sale of such family dwelling house for delinquent taxes or assessments, together with total amount for which each such unredeemed certificate was issued and the name and address of the holder thereof as of record in the office of the assessor.

SEC. 6. This act shall be deemed as applying only to such occupant and owner as shall have filed with the assessor of the District of Columbia an affidavit as to domicile and ownership. The form of the affidavit shall be prepared by the assessor of the District of Columbia, and shall show the beginning of domicile, the time when ownership began, the street number, the number of the square and lot, and all trusts, if any, against the property.

PROVISION OF BOOKS FOR THE ADULT BLIND

The bill (H. R. 13817) to amend section 1 of the act entitled "An act to provide books for the adult blind," approved March 3, 1931, was announced as next in order.

Mr. BULKLEY. I ask that that go over.

Mr. METCALF. Mr. President, will not the Senator withdraw his objection?

Mr. BULKLEY. I am glad to suspend the objection.

The PRESIDING OFFICER. The objection is withheld. The Chair recognizes the Senator from Rhode Island.

Mr. METCALF. Mr. President, I merely desire to explain the nature of the bill. It will require no appropriation. The only people that are objecting to the bill are the people who make the Braille books for the blind.

There are only a comparatively small number of blind that can read the Braille books. There has now been invented a process by which it is possible to produce rather cheaply records that can be put on talking machines, so that these books can be put on those machines and anybody can hear them.

We have already made an appropriation for the Braille books. This bill leaves the Librarian of Congress free to use for this purpose such part of the funds appropriated for books for the blind as he deems proper. It seems only fair to the poor blind people who can not read the Braille books, but can hear, that they should have the benefit of this new invention.

I hope the Senator from Ohio will withdraw his objection.

Mr. SMOOT. Mr. President, I want to say to the Senator from Ohio that we have appropriated \$100,000 for Braille books, and the manufacturing was divided between the East and the West—the two places that are manufacturing Braille literature in the United States. There can not be any justice in objecting to having old people, who at their present age can not learn to read by their fingers, given the benefit of this invention. This is simply to permit the use of these books that go on a phonograph, by

which means the blind can hear them without using their fingers. That is the only way they can get the information the books contain. The Senator from Wisconsin asked that the bill go over, but when I explained the matter to him he said, "Personally, I have no objection."

Mr. BULKLEY. Mr. President, my objection is based on a communication that I have from a friend in whose good faith I have great confidence. I ask that the bill go over at this time, and I may not object to it when it comes up again.

The PRESIDING OFFICER. The bill will be passed over.

PARK LANDS IN CALIFORNIA

The Senate proceeded to consider the bill (S. 5612) to provide for the selection of certain lands in the State of California for the use of the California State park system, which had been reported from the Committee on Public Lands and Surveys with amendments, on page 1, line 2, after the enacting clause, to strike out "That subject to lawful claims initiated by settlement or otherwise prior to July 18, 1929, and maintained in the manner required by law, the State of California may select for the use of the California State park system by legal subdivisions all or any portions of the following townships outside of private grant," and to insert "That subject to valid rights existing on the date of this act, the State of California may within five years select for State park purposes by legal subdivisions all or any portion of the public land not reserved for public purposes in the following townships:" and on page 2, line 23, after the word "prescribe," to insert: "Provided further, That any patent so issued shall contain a provision for reversion of title to the United States upon a finding by the Secretary of the Interior that for a period of more than one year the land has not been used by the State for park purposes: And provided further, That in order to consolidate park areas or to eliminate private holdings therefrom lands patented hereunder may be exchanged with the approval of and under rules prescribed by the Secretary of the Interior for privately owned lands in the area hereinbefore described of approximately equal value containing the natural features sought to be preserved hereby. The lands so acquired to be subject to all the conditions and reservations prescribed by this act, including the reversionary clause hereinbefore set out"; so as to make the bill read:

Be it enacted, etc., That subject to valid rights existing on the date of this act, the State of California may within five years select for State park purposes by legal subdivisions all or any portion of the public land not reserved for public purposes in the following townships:

Township 9 south, range 4 east; township 9 south, range 5 east; township 9 south, range 6 east; township 9 south, range 7 east; township 9 south, range 8 east; township 10 south, range 5 east; township 10 south, range 6 east; township 10 south, range 7 east; township 10 south, range 8 east; township 11 south, range 5 east; township 11 south, range 6 east; township 11 south, range 7 east; township 11 south, range 8 east; township 12 south, range 5 east; township 12 south, range 6 east; township 12 south, range 7 east; township 12 south, range 8 east; San Bernardino meridian.

Upon the submission of satisfactory proof that the land selected contains characteristic desert growth and scenic or other natural features which it is desirable to preserve as a part of the California State park system, the Secretary of the Interior shall cause patents to issue therefor: *Provided*, That there shall be reserved to the United States all coal, oil, gas, or other mineral contained in such lands, together with the right to prospect for, mine, and remove the same at such times and under such conditions as the Secretary of the Interior may prescribe: *Provided further*, That any patent so issued shall contain a provision for reversion of title to the United States upon a finding by the Secretary of the Interior that for a period of more than one year the land has not been used by the State for park purposes: *And provided further*, That in order to consolidate park areas or to eliminate private holdings therefrom lands patented hereunder may be exchanged with the approval of and under rules prescribed by the Secretary of the Interior for privately owned lands in the area hereinbefore described of approximately equal value containing the natural features sought to be preserved hereby. The lands so acquired to be subject to all the conditions and reservations prescribed by this act, including the reversionary clause hereinbefore set out.

Mr. ROBINSON of Arkansas. Mr. President, I think the Senator from California [Mr. JOHNSON], whom I under-

stand to be the author of the bill, should make a statement as to the quantity of land that it is proposed to permit the State to select for use for park purposes. I understand that that is the object of the bill.

Mr. JOHNSON. Entirely so.

The exact quantity I am unable to say. In my tabulation here, the bill and the report are not contained. They were evidently left out of my tabulation by the young gentlemen of the Senate who fix those things.

This is a bill from San Diego County, concerning, I think, the Cactus Forest. It is one that should be preserved; and there is a lengthy letter, if the Senator finds it—it ought to be inserted in the report—from the Secretary of the Interior, very strongly advising the passage of the bill.

Mr. ROBINSON of Arkansas. It does not impose any cost on the National Government?

Mr. JOHNSON. Oh, no, sir.

Mr. ROBINSON of Arkansas. But the State takes over the lands and places them in parks, and then maintains them?

Mr. JOHNSON. For the completion of the State park system.

Mr. ROBINSON of Arkansas. I have no objection.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 11477) for the relief of George Charles Walthers was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

REGULATION OF ALASKAN FISHERIES

The bill (S. 3379) for the protection and regulation of the fisheries of Alaska, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I shall be glad to have an explanation of this measure.

I confess that I am not very much in sympathy with the proposal to grant these licenses for five years. I wish the Senator would let the bill go over until next Monday and give us an opportunity to examine it. I have had a great many complaints from the natives of Alaska and persons who have been fishing for years along the coast from Washington up to the limits of Alaska.

Mr. WHITE. Mr. President, this bill relates only to fixed traps. I understand that the natives are not concerned with them. The natives are employing other means of fishing, and are not affected, as I understand, by this method.

Mr. KING. But there was an investigation some time ago, as I remember, conducted by a committee of the House, which showed that traps and seines were being improperly used by persons and corporations, and that many of the streams were being despoiled of salmon and other varieties of fish. I think that the operations of many of the large fishing companies were reprehensible and destructive of the industry.

Mr. WHITE. Mr. President, I may say that the design of this legislation is, in part, to give to the Department of Commerce a more rigid control over these fishing operations, primarily and fundamentally in the interest of the conservation of salmon. The bill comes here with the approval of the Department of Commerce. The Delegate from Alaska was advised of the pendency of the bill. A hearing was held. He interposed no objection to it; and, so far as I am advised, there is no objection at this time to the legislation from any source.

Mr. KING. Mr. President, many complaints have been made against the methods adopted by the Department of Commerce in dealing with the fishing industry in the northern and particularly in the Alaskan waters, and because of the lack of proper regulations as well as the unfair and discriminating policies adopted by the Commissioner of Fisheries. From the data brought to my attention by the former Delegate from Alaska, Mr. Sutherland, and others, I reached the conclusion that many changes were needed in

the Bureau of Fisheries, including officials in that organization.

Mr. WHITE. That would cure the Senator's objection?

Mr. KING. Perhaps if there were a new commissioner many procedures of which complaint has been made would be changed. I ask the Senator to let the bill go over until next Monday.

The PRESIDENT pro tempore. The bill will be passed over.

FINAL PROOF BY DESERT-LAND ENTRYMEN

The Senate proceeded to consider the bill (S. 5456) to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen," approved May 13, 1932, to desert-land entrymen, which had been reported from the Committee on Public Lands and Surveys with an amendment, to strike out all after the enacting clause and to insert:

That the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen," approved May 13, 1932, is amended to read as follows:

"That the Secretary of the Interior is hereby authorized to extend for not exceeding two years the period during which final proof may be offered by any person who has a pending homestead or desert-land entry upon public lands of the United States on which at the date of this act or on any date on or prior to December 31, 1934, under existing law final proof is required showing residence, cultivation, improvements, expenditures, or payment of purchase money, as the case may be: *Provided*, That any such entryman shall be required to show that it is a hardship upon himself to meet the requirements incidental to final proof upon the date required by existing law, due to adverse weather or economic conditions: *And provided further*, That this act shall apply only to cases where adequate relief is not available under existing law.

"SEC. 2. The Secretary of the Interior is authorized to make such rules and regulations as are necessary to carry out the purposes of this act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the provisions of the act entitled 'An act to extend the period of time during which final proof may be offered by homestead entrymen,' approved May 13, 1932, to desert-land entrymen, and for other purposes."

BILL PASSED OVER

The bill (H. R. 13991) to aid agriculture and relieve the existing national economic emergency was announced as next in order.

Mr. REED. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

ALTERNATE BUDGET FOR INDIAN SERVICE

The bill (S. 5622) providing for an alternate budget for the Indian Service, fiscal year 1935, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in addition to the estimates of appropriations for the Bureau of Indian Affairs transmitted in the Budget for the fiscal year 1935 in the customary order and arrangement, there shall be submitted for the consideration of Congress an alternate arrangement of such estimates with a view to simplification and clarity of presentation and consideration thereof.

BILL PASSED OVER

The bill (S. 5607) authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund was announced as next in order.

Mr. BLAINE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

IMPROVED ORDER OF RED MEN

The bill (H. R. 194) to amend section 6 of the national charter of the Great Council of the United States of the Improved Order of Red Men was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 6 of the charter of the Great Council of the United States of the Improved Order of Red Men, be, and the same is hereby, amended to read as follows:

"Sec. 6. That said corporation shall not engage in any business for gain; the purposes of said corporation being fraternal, benevolent, and patriotic in providing benefits to its members, care for members, orphans, and widows of members, and to inspire a greater love for the United States of America, and the principles of American liberty."

SALARY RATES OF CIVIL-SERVICE POSITIONS

The bill (S. 5475) to amend section 3 of the act of May 28, 1928, relating to salary rates of certain civil-service positions was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 3 of the act of Congress approved May 28, 1928, entitled "An act to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, entitled 'An Act to provide for the classification of civilian positions within the District of Columbia and in the field services'", as amended by the act of July 3, 1930, be further amended by adding thereto the following: " * * * *Provided*, That in all cases where, since December 6, 1924, in such adjustment the position occupied by an employee has been or shall be allocated to a grade with a maximum salary below the salary received by the incumbent, the rate of pay fixed for such position prior to such allocation may be continued so long as the position is held by the incumbent occupying it at the time of such allocation."

BILL PASSED OVER

The bill (S. 5614) authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund was announced as next in order.

Mr. BLAINE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

GRAZING FEES WITHIN NATIONAL FORESTS

The joint resolution (S. J. Res. 219) authorizing the fixing of grazing fees on lands within national forests was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Secretary of Agriculture is authorized and directed to fix the fees to be charged during the year 1933 for the grazing of sheep and cattle on lands within the boundaries of national forests at rates not in excess of those charged during the year 1932.

PROCEDURE IN CIRCUIT COURTS OF APPEAL

The Senate proceeded to consider the bill (H. R. 10641) to amend section 122 of the Judicial Code, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 122 of the Judicial Code (U. S. C., title 28, sec. 219) be, and the same is hereby, amended to read as follows:

"Sec. 122. Each circuit court of appeals shall prescribe the form and style of its seal, and the form of writs and other process and procedure as may be conformable to the exercise of its jurisdiction; and shall have power to establish all rules and regulations for the conduct of the business of the court within its jurisdiction as conferred by law. In case any senior circuit judge is disabled by illness from exercising any power given, or performing any duty imposed by law, such power or duty shall be exercised or performed by the other judges of that circuit in the order of the seniority of their respective commissions."

COMPACTS BETWEEN STATES FOR THE PREVENTION OF CRIME

The bill (H. R. 10243) granting the consent of Congress to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The bill will be passed over.

ASSUMPTION OF RISKS OF EMPLOYMENT

The bill (S. 1060) relative to assumption of risks of employment, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The bill will be passed over.

HOMESTEAD DESIGNATIONS ON ALLOTTED INDIAN LANDS

The Senate proceeded to consider the bill (S. 5463) to authorize the change of homestead designations on allotted Indian lands.

Mr. ROBINSON of Arkansas. Mr. President, I think the Senator from North Dakota should explain this bill. It is not clear what the purpose is.

Mr. FRAZIER. Mr. President, this is a departmental bill, recommended by the Secretary of the Interior. It applies to some Montana reservations. Under the law, the Indians have allotments designated as homesteads, to provide for homes, where houses may be built. In some instances an Indian may have two or three allotments, but the allotment designated as a homestead may not be a desirable place for the erection of a home. This bill would simply give authority to the Secretary of the Interior to designate, upon application from the Indian, another allotment as a homestead, instead of the one originally designated. It applies only to Montana.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That where any Indian who now has or may hereafter acquire an allotment designated as a homestead and such Indian owns other restricted allotted lands acquired by inheritance or otherwise, the Secretary of the Interior be, and he is hereby, authorized, in his discretion and under such rules and regulations as he may prescribe, to allow such Indian owner to change the designation of his or her homestead to other restricted lands owned by the said Indian. Upon acceptance by the Secretary of the Interior of relinquishments and the designation of lieu homestead lands, appropriate patents or other evidence of title as may now or hereafter be provided for by law shall be issued to the Indian owner for the lands so redesignated: *Provided, however*, That this act shall not apply to the Indians of the Five Civilized Tribes, nor to the Osage and the Kaw Indians in Oklahoma.

LIMITATION OF DEBATE

The resolution (S. Res. 360) limiting debate during the remainder of the present Congress was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The resolution will be passed over.

CONSTRUCTION OF A BRIDGE IN ALABAMA

The bill (S. 5632) to extend the times for commencing and completing the construction of a railroad bridge and/or a toll bridge across the water between the mainland at or near Cedar Point and Dauphin Island, Ala., was announced as next in order.

The PRESIDENT pro tempore. That is the same as Calendar No. 1385, House bill 14657, and without objection, that bill will be substituted for the Senate bill.

There being no objection, the Senate proceeded to consider the bill (H. R. 14657) to extend the times for commencing and completing the construction of a railroad bridge and/or a toll bridge across the water between the mainland at or near Cedar Point and Dauphin Island, Ala., which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a railroad bridge and/or a toll bridge across the water between the mainland at or near Cedar Point and Dauphin Island, Ala., authorized to be built by the Dauphin Island Railway & Harbor Co., its successors and assigns, by an act of Congress approved February 25, 1927, heretofore extended by an act of Congress approved February 7, 1930, are hereby further extended one and three years, respectively, from February 25, 1933.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The PRESIDENT pro tempore. Senate bill 5632 will be indefinitely postponed.

ESTABLISHMENT OF BRANCH BANKS

The bill (S. 5273) authorizing national banks to establish branch banks, and to secure deposits, was announced as next in order.

Mr. BRATTON. Let that go over.

Mr. BARKLEY. Mr. President, will not the Senator from New Mexico withhold his objection?

Mr. BRATTON. Yes, Mr. President, I withhold the objection temporarily.

Mr. BARKLEY. I will say to the Senator that this is a bill introduced by my colleague [Mr. LOGAN], having especially in view the lack of any banking facilities at Fort Knox.

The bill is general in its terms, but in order that reservations like that at Fort Knox, Ky., may be provided banking facilities the bill has been introduced and unanimously reported from the committee. What is the objection the Senator has to it?

Mr. BRATTON. Mr. President, I would have no objection if the establishment of the branch banks were limited to States in which State banks are authorized to engage in branch banking. As I understand this measure it would authorize the establishment of a branch bank on a Federal reservation, even though the reservation were situated in a State where branch banking was not permitted or was even denounced.

Mr. BARKLEY. That is true, but I understand that no State bank could be established on such a reservation as I have described, and it does seem to me that it would not offer sufficient conflict with any State banking system to justify an objection to it.

I have especially in mind the situation at Fort Knox, Ky., which is a very large military reservation. There are no banking facilities there, within convenient reach of the people at that reservation, at which, as the Senator knows, there is a large number of soldiers, officers, and their families. It is in order to cure that situation that the bill was introduced. I hope the Senator will not object to it.

Mr. LOGAN. Mr. President, this matter was taken up with the Comptroller of the Currency a year or more ago, and in trying to work the matter out I finally prepared a bill. The Treasury Department itself objected to one section of the bill, which was stricken out. The officials of that department also expressed the opinion that the bill as reported by the committee was all right and should be passed.

This measure does not go into branch banking, I may say to the Senator from New Mexico. There are these military reservations, and they are reservations without any banking facilities. In the case referred to the distance from Fort Knox to the nearest bank is 15 miles. The purpose of the bill is to allow the establishment of a branch which will receive deposits and pay out money for the convenience of the soldiers and officers in that camp. We have been trying to get something along that line for some time, and the Comptroller of the Currency thought that an act would be necessary in order to give him authority.

Mr. BRATTON. Mr. President, with the explanation made by both of the Senators from Kentucky, I withdraw my objection.

Mr. LOGAN. I thank the Senator.

Mr. BLAINE. Mr. President, I interposed an objection, and I ask for the regular order.

The PRESIDENT pro tempore. The bill will be passed over.

GALEN E. LICHTY

The bill (S. 246) for the relief of Galen E. Lichty was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$554.70 to Galen E. Lichty, stamp clerk of the post office at Beatrice, Gage County, Nebr., to reimburse him for funds stolen from the Beatrice post office by unknown persons on the day of November 17, 1928.

FLORENCE MAHONEY

The bill (H. R. 3036) for the relief of Florence Mahoney, was considered, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$1,000, to Florence Mahoney, of Newport, R. I., for injuries received as the result of a collision involving an Army vehicle in Newport, R. I., on June 4, 1930: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of serv-

ices rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

MARY ELIZABETH FOX

The bill (H. R. 3727) for the relief of Mary Elizabeth Fox was considered, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Elizabeth Fox, Granger, Tex., the sum of \$3,000 in full settlement of all claims against the Government of the United States, for permanent injury received on February 2, 1928, while getting her mail out of a post-office box at Southwestern University Station at Georgetown, Tex., said injury being caused by neglectful construction of said post-office box: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

ANNIE M. EOPOLUCCI

The Senate proceeded to consider the bill (H. R. 5150) for the relief of Annie M. Eopolucci, which had been reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and to insert the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Annie M. Eopolucci, out of any money in the Treasury not otherwise appropriated, the sum of \$20 per month, in a total amount of not to exceed \$5,000, such payments to be in full settlement of all claims against the Government for the death of her son, John E. Eopolucci, who, while serving as a member of the armed guard of the United States Navy on the steamship *Aztec*, lost his life when said steamship was torpedoed and sunk on April 1, 1917, this while in the active service of the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

SALE OF REVENUE STAMPS

The Senate proceeded to consider the bill (H. R. 12977) to amend section 808 of Title VIII of the revenue act of 1926 as amended by section 443 of the revenue act of 1928.

Mr. McKELLAR. Mr. President, I would like to have an explanation of that.

Mr. REED. Mr. President, the last revenue bill we passed provided for the sale of revenue stamps in cities having populations of 25,000 or over. There are a great many county seats in the United States with populations smaller than 25,000; and because we require the placing of revenue stamps on conveyances now, a great deal of trouble has been created.

Mr. McKELLAR. I think this is a wise measure and should be passed.

The bill was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 808 of Title VIII of the revenue act of 1926, as amended by section 443 of the revenue act of 1928, be, and the same is hereby, amended by striking out the words "in cities of over 25,000 inhabitants" and inserting in lieu thereof the following: "in all post offices of the first and second classes and such post offices of the third and fourth classes as are located in county seats."

PROOF OF CLAIMS IN BANKRUPTCY CASES

Mr. METCALF. Mr. President, I ask unanimous consent that we may return to calendar 1311, Senate bill 5394, a bill to amend section 57 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended and supplemented, with respect to proof and allowance of claims by trustees for bondholders.

The Senator who objected when the bill was reached on the calendar has now agreed to withdraw his objection and indicates that he sees no objection to the bill.

The PRESIDENT pro tempore. Is there objection to returning to the bill?

Mr. ROBINSON of Arkansas. Mr. President, this bill provides for an amendment to the general bankruptcy statute. Will not the Senator from Rhode Island explain what changes the bill would make in the law?

Mr. METCALF. Mr. President, the amendment is simply for the protection particularly of small investors, who perhaps would not know that it is necessary for them to file their claims. It would give the trustee power to file for all of them. There have been cases where people who had bonds and expected that somebody else would look out for them did not know, perhaps, that they were in a bankruptcy proceeding, and this would simply afford assistance for such an individual.

Mr. BRATTON. Mr. President, the Committee on the Judiciary gave this measure consideration. As I understand its provisions, it simply authorizes a trustee, in a trust indenture for the benefit of a large number of holders of bonds or notes, to file a claim in bankruptcy for those who have failed to do so.

Mr. METCALF. The Senator is correct.

The PRESIDENT pro tempore. Is there objection to recurring to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 57 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended and supplemented, is amended by adding at the end thereof the following new paragraph:

"(c) Whenever indebtedness of the bankrupt arises in respect of notes, bonds, or similar obligations issued under or pursuant to a trust deed, indenture, or other instrument to which reference is made in such obligations, whether or not such obligations are in negotiable form or specifically secured, and such trust deed, indenture, or other instrument, and/or such obligations (a) expresses an undertaking of the issuer of such obligations, in the event of default, to make payment of the indebtedness in respect of such obligations, to a trustee or other representative designated for the owners of such obligations, or (b) authorizes such trustee or other representative, in the event of bankruptcy, to make claim for the indebtedness in respect of which such obligations were issued, or to represent the holders thereof, and/or to collect and distribute any dividends thereon, such trustee or other representative shall for all purposes of this act be deemed to be the creditor in respect of such indebtedness, except in so far as the holders of such notes, bonds, or other obligations shall themselves duly file proof of claim thereon, and shall be entitled in its name as such trustee or other representative to file proof of claim thereon and to receive payment, subject to such provisions and regulations as may be prescribed by the courts, of all dividends declared on said claim, and to act with respect to all other matters arising in connection with such claim as though the absolute owner thereof. Such trust deed, indenture, or other instrument shall within the meaning of paragraph (b) of this section be deemed to be the instrument of writing upon which said claim is founded."

SEC. 2. The amendment made by section 1 of this act shall be effective as to claims filed in all bankruptcy proceedings instituted after the date of enactment of this act and to claims filed in all bankruptcy proceedings theretofore instituted in which no dividend has been declared prior to such date, but nothing contained in this act shall be deemed to extend the time for filing claims in any bankruptcy proceeding.

GOVERNMENT-OWNED COTTON TO RED CROSS

The Senate proceeded to consider the joint resolution (S. J. Res. 228), authorizing the American National Red Cross and certain other organizations to exchange Government-owned cotton for articles containing wool.

Mr. KING. Mr. President, I ask the Senator from New York the purpose of this measure. I know that he and others were very insistent a short time ago for a large appropriation to have cotton owned by the Government, through its stabilization and other organizations, delivered to the Red Cross because of the imperative need to dispose of it for the manufacture of cotton goods. It seems to me we are broadening our action, and pretty soon there will be a desire for the Federal Government to take over all the wool in the United States and deliver it to the Red Cross for distribution in such manner as it may see fit.

Mr. COPELAND. Mr. President, apparently the Senator was not here the other day when we discussed this matter.

This is not a measure asking for any new cotton. The cotton has already been turned over to the Red Cross, and under the act doing that they can exchange it only for articles made of cotton, cotton clothing, cotton blankets, and cotton mattresses.

I pointed out that in the northern climates, of northern New York, Michigan, Wisconsin, Montana, and other places, it would be very much better, in affording comfort to human beings, if the Red Cross could exchange the cotton for woolen garments, as they may now exchange it for cotton garments. It does not involve the expenditure of any money or the acquisition of any more cotton.

Mr. KING. Mr. President, my understanding is that contracts are made with various manufacturing organizations, with mills, with corporations which are engaged in manufacturing cloth into garments for use after the cotton has been obtained. It would seem to me that this measure would contemplate an abrogation of or interference with contracts which have been entered into with textile organizations for manufacturing garments for distribution from the cotton which has been heretofore obtained.

Mr. COPELAND. Mr. President, let me say to the Senator that the Red Cross desires to do this, but under the law they are limited, and there are no such contracts that would be interfered with. I am sure the Senator, when he looks into the matter more thoroughly, will see that I am right about it.

Mr. KING. I have no objection.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the American National Red Cross or any other organization to which Government-owned cotton has been or shall hereafter be delivered pursuant to law is hereby authorized, if it shall be deemed advisable, to exchange any such cotton for cloth or wearing apparel or other articles of clothing containing wool.

TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

The Senate proceeded to consider the bill (S. 5623) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement, which had been reported from the Committee on Indian Affairs with amendments.

The amendments were, on page 2, line 8, after the words "Turtle Mountain Band or Bands," to strike out "(whether officially recognized or not)"; in line 9, after the name "North Dakota," to insert "including the band of Chief or Thomas Little Shell and other isolated Pembina Bands of Chippewas of North Dakota and Montana,"; in line 14, after the word "petition," to insert "or petitions"; in line 19, after the word "defendant," to insert "The claim or claims of the band or bands aforementioned may be presented separately or jointly by petition, subject, however, to amendment,"; in line 22, after the word "petition," to insert "or petitions"; on page 6, line 4, after the word "Indians," to insert "(whether officially recognized or not)"; in line 7, after the word "Indians," to insert "The court shall have jurisdiction and is hereby further authorized to determine what amount of the recovery, if any, shall be awarded to the respective bands who bring suit hereunder,"; in line 22, after the word "Indians," to insert "less fees and expenses"; and on page 7, line 1, after the word "decree," to insert "The court shall have jurisdiction and is hereby further authorized to determine what amount of the recovery, if any, shall be awarded to the respective bands who bring suit hereunder,"; so as to make the bill read:

Be it enacted, etc., That jurisdiction be, and hereby is, conferred upon the Court of Claims, with right of appeal to the Supreme Court of the United States by either party, notwithstanding the lapse of time, statutes of limitations, waiver, release, settlement heretofore made or directed by any act of Congress or otherwise, to hear, adjudicate, and render judgment according to right and justice and as upon a full and fair arbitration, on any and all claims not heretofore determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States, arising under any treaty, ratified or unratified, act of Congress, agreement or understanding, verbal or written, Executive order, or treaty with any other tribes or nations of Indians by the authorized agents or representatives of the United States relating to, affecting, or violating the land occupancy or other rights of the Turtle Mountain Band or Bands of Chippewa Indians of North

Dakota, including the band of Chief or Thomas Little Shell, and other isolated Pembina Bands of Chippewas of North Dakota and Montana.

SEC. 2. Any and all claims against the United States within the purview of this act shall be forever barred unless suit be instituted or petition or petitions filed as herein provided in the Court of Claims within five years from the date of the approval of this act, and such suit shall make the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota party or parties plaintiff and the United States of America party defendant. The claim or claims of the band or bands aforementioned may be presented separately or jointly by petition, subject, however, to amendment. The petition or petitions shall be verified by the respective attorney or attorneys employed to prosecute such claim or claims under contract with the Turtle Mountain Band or Bands of Chippewa Indians, approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law. Official letters, papers, documents, reports and records, or affidavits on file in the Interior Department or certified copies thereof, may be used in evidence; and the departments of the Government shall furnish to the attorney or attorneys of said Turtle Mountain Band or bands such treaties, agreements, papers, reports, correspondence, affidavits, or records as may be needed by the attorney or attorneys of said band or bands of Indians.

SEC. 3. That if any claim or claims be submitted to said court it shall determine the rights of the parties thereto, notwithstanding lapse of time, statutes of limitation, waiver or release, and any payment which may have been made by the United States upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as a set-off in any suit; and the United States shall be allowed credit subsequent to the date of any law, treaty, or agreement under which the claims arise for any sum or sums heretofore paid or expended for the benefit of said Indians.

SEC. 4. That if the Court of Claims shall determine that the United States, under the provisions of any agreement or understanding, verbal or written, Executive order, law, or treaty referred to in section 1 hereof, has unlawfully appropriated or disposed of any property belonging to the said Turtle Mountain Band or Bands of Chippewa Indians, or its or their members, or to which the said Indians had the right of title by occupancy; or if the said court shall determine that the United States, under the provisions of any such agreement, Executive order, law, or treaty, herein referred to, under mistake of fact or duress obtained title to or the cession of any land from the said Indians for an inadequate consideration; or if the court shall determine that the United States obtained cessions of land from said band or bands of Indians without obtaining the consent of a majority of the male adult members thereof; or if the court shall determine that the United States, to the loss of said Indians, appropriated to its own use or to the use of any other Indian tribe or band, or permitted white settlers to occupy and acquire title under the public land laws of the United States, to any lands in North Dakota, the title and occupancy of which by long possession by the said Indians had been acknowledged by other tribes and by officials of the United States; or if a portion of the land so claimed by the said band or bands was taken from them by an Executive order for the benefit of any other band or tribe of Indians, without compensation to the said Turtle Mountain Band or Bands of Chippewa Indians, the damages shall be confined to the reasonable money value thereof at the time of such appropriation: *Provided*, That if the Court of Claims shall determine that the United States, by reason of any delay on the part of its agents or authorized representatives, in submitting for ratification any agreement with the said Turtle Mountain Band or Bands of Chippewa Indians, for the purchase or cession of any land so occupied and possessed by them, or that the Congress of the United States, contrary to the understanding of or any promise made to said Indians, unduly delayed the ratification of any such agreement whereby any such lands were ceded to the United States, to the detriment and loss of the said Indians, then the said court is hereby authorized to award and enter judgment, as justice and equity may demand, for damages due to such delay at 4 per cent per annum of the stipulated or agreed amount set out in any such agreement ceding such lands to the United States, and to compute such interest from the date the said agreement was signed or executed by the said Indians; and with reference to all claims which may be the subject matter of the suits herein authorized, the decree of the court shall be in full settlement of all damages, if any, committed by the Government of the United States and shall annul and cancel all claim, right, and title of the said Turtle Mountain Band or Bands of Chippewa Indians in and to such money or other property.

SEC. 5. Upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the recovery in each instance, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid to the respective attorneys employed by the said band or bands of Indians (whether officially recognized or not), and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said band or bands of Indians. The court shall have jurisdiction and is hereby further authorized to determine what amount of the recovery, if any, shall be awarded to the respective bands who bring suit hereunder.

SEC. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit any other tribe or band of Indians deemed by it necessary or proper to the final determination of the matters in controversy.

SEC. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case.

SEC. 8. The proceeds of all amounts, if any, recovered for said band or bands of Indians less fees and expenses shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 per cent per annum from the date of the judgment or decree. The court shall have jurisdiction and is hereby further authorized to determine what amount of the recovery, if any, shall be awarded to the respective bands who bring suit hereunder: *Provided*, That actual costs necessary to be incurred by the Turtle Mountain Band or Bands of Chippewa Indians as required by the rules of court in the prosecution of this suit shall be paid out of the funds of said Indians in the Treasury of the United States, upon proper vouchers, to be examined and approved by the Commissioner of Indian Affairs.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORDER OF BUSINESS

The PRESIDENT pro tempore. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 14359) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

Mr. BROUSSARD. Mr. President—

The PRESIDENT pro tempore. The Senator from Louisiana.

Mr. McNARY. Mr. President, will the Senator from Louisiana yield?

Mr. BROUSSARD. For what purpose, may I inquire?

Mr. McNARY. I ask it for the purpose of submitting a unanimous-consent agreement which I trust will be satisfactory to the Senator.

Mr. BROUSSARD. I yield provided I do not lose my right to the floor.

The PRESIDENT pro tempore. The Senator will not lose the floor.

Mr. McNARY. After conferring with the Senator from Delaware [Mr. HASTINGS], who is in charge of the unfinished business, I wish to propose the consideration of the calendar in conformity with the purposes of the unanimous-consent agreement previously entered into, which would be to consider unobjected bills on the calendar to the end, Order No. 1400, and then return to Order No. 1207.

Mr. KING. Mr. President, as I understand the Senator's proposition it is not only to complete the call of the remainder of the bills upon the calendar, but to return to those that were not taken up this morning and go through the calendar?

Mr. McNARY. Yes.

Mr. ROBINSON of Arkansas. Mr. President, may I suggest to the Senator from Oregon that he limit the request to a completion of the call of the calendar? Most of the numbers preceding the point where we began this morning have been called many times and will undoubtedly be objected to again, but the numbers that have not yet been called this morning, from No. 1375 on to the end of the calendar, ought to be called. I suggest that the Senator modify his request accordingly.

Mr. McNARY. The only reason why I asked to return to the beginning of the calendar was because it was mentioned in the original proposal this morning.

Mr. ROBINSON of Arkansas. But that lapses now.

Mr. McNARY. There is some force in the suggestion of the Senator from Arkansas. I do not want to delay unnecessarily the further consideration of the unfinished business, so I amend my proposal and ask that we may continue until we complete the call of the calendar to Order of Business No. 1409.

The PRESIDENT pro tempore. May the Chair state that the Senator from Louisiana will not be entitled to the floor

if the unanimous-consent agreement is entered into. Is there objection?

Mr. LONG. Mr. President, what is the request?

The PRESIDENT pro tempore. The unfinished business was laid before the Senate. The senior Senator from Louisiana [Mr. BROUSSARD] was recognized and yielded to the Senator from Oregon [Mr. McNARY] to propose a unanimous-consent agreement, which is now pending. The unanimous-consent request is to proceed with the calling of the calendar for unobjected bills through to the end to Calendar No. 1409. Is there objection?

Mr. BROUSSARD. Am I to await the conclusion of the call of the calendar?

The PRESIDENT pro tempore. If the unanimous-consent agreement is granted, the Senator from Louisiana may speak five minutes at a time on each bill.

Mr. BROUSSARD. I think we can conclude the call of the calendar at a later day. I prefer to retain the floor now.

APPROPRIATIONS FOR THE TREASURY AND POST OFFICE DEPARTMENTS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on House bill 13520, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
February 21, 1933.

Resolved, That the House recede from its disagreement to the amendment of the Senate No. 1 to the bill (H. R. 13520) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes," and concur therein with an amendment, as follows:

In line 1 of the matter inserted by said amendment strike out "35" and insert "32 1/4."

That the House insist upon its disagreement to the amendments of the Senate Nos. 7, 8, and 9.

That the House recede from its disagreement to the amendment of the Senate No. 14 and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

"Sec. 4. (a) The provisions of the following sections of Part II of the legislative appropriation act, fiscal year 1933, are hereby continued in full force and effect during the fiscal year ending June 30, 1934, namely, sections 101, 102, 103, 104, 105, 106, 107 (except paragraph (5) of subsection (a) thereof), 108, 109, 112, 201, 203, 205, 206 (except subsection (a) thereof), 211, 214, 216, 304, 315, 317, 318, and 323, and, for the purpose of continuing such sections, in the application of such sections with respect to the fiscal year ending June 30, 1934, the figures '1933' shall be read as '1934'; the figures '1934' as '1935'; and the figures '1935' as '1936'; and, in the case of sections 102 and 203, the figures '1932' shall be read as '1933'; except that in the application of such sections with respect to the fiscal year ending June 30, 1934 (but not with respect to the fiscal year ending June 30, 1933), the following amendments shall apply:

"(1) Section 104 (a) is amended by striking out the period at the end thereof and inserting a semicolon and the following: 'and (12) special-delivery messengers in the Postal Service,'; and section 105 (d) (2) is amended by adding at the end thereof the following 'special-delivery messengers in the Postal Service, but in the case of such messengers, the sum of \$400 shall not be included in the calculation of the rate of their compensation for the purposes of this title.'"

"(2) Section 106 is amended by striking out 'except judges whose compensation may not, under the Constitution, be diminished during their continuance in office' and inserting in lieu thereof 'except judges, whose compensation, prior to retirement or resignation, could not, under the Constitution, have been diminished'."

"(3) Section 216 is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: 'Provided further, That no employee under the classified civil service shall be furloughed under the provisions of this section for a total of more than 90 days during the fiscal year 1934, except after full and complete compliance with all the provisions of the civil service laws and regulations relating to reductions in personnel.'"

"(4) Section 317 is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: 'Provided further, That no part of any appropriation for "public works," nor any part of any allotment or portion available for "public works" under any appropriation, shall be transferred pursuant to the authority of this section to any appropriation for expenditure for personnel unless such personnel is required upon or in connection with "public works." "Public works" as used in this section shall comprise all projects falling in the general classes enumerated in Budget Statement No. 9, pages A177 to A182, inclusive, of the Budget for the fiscal year 1934, and shall also include the procurement of new airplanes and the construction of vessels under appropriations for "Increase of the Navy." The interpretation by the Director of the Bureau of the Budget, or by the President in the cases of the War Department and the Navy

Department, of "public works," as defined and designated herein, shall be conclusive."

"(b) All acts or parts of acts inconsistent or in conflict with the provisions of such sections, as amended, are hereby suspended during the period in which such sections, as amended, are in effect."

"(c) No court of the United States shall have jurisdiction of any suit against the United States or (unless brought by the United States) against any officer, agency, or instrumentality of the United States arising out of the application, as provided in this section, of such sections 101, 102, 103, 104, 105, 106, 107, 108, 109, or 112, as amended, unless such suit involves the Constitution of the United States."

"(d) The appropriations or portions of appropriations unexpended by reason of the operation of the amendments made in subsection (a) of this section shall not be used for any purpose, but shall be impounded and returned to the Treasury."

"(e) Each permanent specific annual appropriation available during the fiscal year ending June 30, 1934, is hereby reduced for that fiscal year by such estimated amount as the Director of the Bureau of the Budget may determine will be equivalent to the savings that will be effected in such appropriation by reason of the application of this section and section 7."

"Sec. 5. Effective the first day of the month next following the passage of this act, in the application of Title I of Part II of the legislative appropriation act, fiscal year 1933, and section 4 of this act, in any case where the annual rate of compensation of any position is in excess of \$1,000, the provisions reducing compensation shall not operate to reduce the total amount paid for any month to any incumbent of any such position unless the total amount earned by such incumbent in such month exceeds \$83.33: *Provided*, That any such reduction made in any case where the total amount earned by any such incumbent in any month exceeds \$83.33 shall not operate to reduce the total amount to be paid to such incumbent for such month to less than \$83.33."

"Sec. 6. (a) Sections 103 and 215 of the legislative appropriation act, fiscal year 1933, shall be held applicable to the officers and employees of the Panama Canal and Panama Railroad Co. on the Isthmus of Panama, and to officers and employees of the United States (including enlisted personnel) holding official station outside the continental United States, only to the extent of depriving each of them of one month's leave of absence with pay during each of the fiscal years ending June 30, 1933, and June 30, 1934."

"(b) During the fiscal year 1934 deductions on account of legislative furlough shall be made each month from the compensation of each officer or employee subject to the furlough provisions of Title I of Part II of the legislative appropriation act, fiscal year 1933, as continued by section 4 (a) of this act, at the rate of 8 1/4 per cent per month regardless of the number of days of such furlough actually taken by any such officer or employee in any month."

"Sec. 7. No administrative promotions in the civil branch of the United States Government or the government of the District of Columbia shall be made during the fiscal year ending June 30, 1934: *Provided*, That the filling of a vacancy, when authorized by the President, by the appointment of an employee of a lower grade, shall not be construed as an administrative promotion, but no such appointment shall increase the compensation of such employee to a rate in excess of the minimum rate of the grade to which such employee is appointed, unless such minimum rate would require an actual reduction in compensation: *Provided further*, That the restoration of employees to their former grades or their advancement to intermediate grades following reductions of compensation for disciplinary reasons shall not be construed to be administrative promotions for the purposes of this section. The provisions of this section shall not apply to commissioned, commissioned warrant, warrant, and enlisted personnel, and cadets, of the Coast Guard."

"Sec. 8. All officers and employees of the United States Government or of the government of the District of Columbia who had reached the retirement age prescribed for automatic separation from the service on or before July 1, 1932, and who were continued in active service for a period of less than 30 days after June 30, 1932, pursuant to an Executive order issued under authority of section 204 of Part II of the legislative appropriation act, fiscal year 1933, shall be regarded as having been retired and entitled to annuity beginning with the day following the date of separation from active service, instead of from August 1, 1932, and the Administrator of Veterans' Affairs is hereby authorized and directed to make payments accordingly from the civil service retirement and disability fund."

"Sec. 9. The allowance provided for in the act entitled "An act to permit payments for the operation of motor cycles and automobiles used for necessary travel on official business, on a mileage basis in lieu of actual operating expenses," approved February 14, 1931 (U. S. C., Supp. V, title 5, sec. 73a), for travel ordered after the date of enactment of this act shall not exceed 2 cents per mile in the case of travel by motor cycle or 5 cents per mile in the case of travel by automobile."

"Sec. 10. Whenever by or under authority of law actual expenses for travel may be allowed to officers or employees of the United States, such allowances, in the case of travel ordered after the date of enactment of this act, shall not exceed the lowest first-class rate by the transportation facility used in such travel."

"Sec. 11. From and after the date of enactment of this act, the provisions of the act of March 3, 1931 (U. S. C., Supp. V, title 5, sec. 26a), shall not apply to any employees of the Veterans'

Administration homes, hospitals, or combined facilities where, in the discretion of the Administrator of Veterans' Affairs, the public interest requires that such employees should be excepted from the provisions thereof. As to those employees excepted from the provisions of the act of March 3, 1931, seven hours shall constitute a workday on Saturday, and labor in excess of four hours on Saturdays shall not entitle such employees to an equal shortening of the workday on some other day or to additional compensation therefor.

"Sec. 12. Assignments of officers of the Army, Navy, or Marine Corps to permanent duty in the Philippines, on the Asiatic station, or in China, Hawaii, Puerto Rico, or the Panama Canal Zone shall be for not less than three years. No such officer shall be transferred to duty in the continental United States before the expiration of such period unless the health of such officer or the public interest requires such transfer, and the reason for the transfer shall be stated in the order directing such transfer.

"Sec. 13. The act entitled "An act to provide for deducting any debt due the United States from any judgment recovered against the United States by such debtor," approved March 3, 1875 (U. S. C., title 31, sec. 227), is hereby amended to read as follows:

"That when any final judgment recovered against the United States duly allowed by legal authority shall be presented to the comptroller General of the United States for payment, and the plaintiff therein shall be indebted to the United States in any manner, whether as principal or surety, it shall be the duty of the Comptroller General of the United States to withhold payment of an amount of such judgment equal to the debt thus due to the United States; and if such plaintiff assents to such set-off, and discharges his judgment or an amount thereof equal to said debt, the Comptroller General of the United States shall execute a discharge of the debt due from the plaintiff to the United States. But if such plaintiff denies his indebtedness to the United States, or refuses to consent to the set-off, then the Comptroller General of the United States shall withhold payment of such further amount of such judgment, as in his opinion will be sufficient to cover all legal charges and costs in prosecuting the debt of the United States to final judgment. And if such debt is not already in suit, it shall be the duty of the Comptroller General of the United States to cause legal proceedings to be immediately commenced to enforce the same, and to cause the same to be prosecuted to final judgment with all reasonable dispatch. And if in such action judgment shall be rendered against the United States, or the amount recovered for debt and costs shall be less than the amount so withheld as before provided, the balance shall then be paid over to such plaintiff by such Comptroller General of the United States with 6 per cent interest thereon for the time it has been withheld from the plaintiff."

"Sec. 14. All laws providing for permanent specific annual appropriations are hereby modified so that, after June 30, 1934, in lieu of the appropriations made therein, the sums available for the purposes of such laws shall be such sums (not exceeding the amounts now provided in such laws) as may hereafter be provided therefor from time to time by Congress.

"Sec. 15. Section 322 of Part II of the legislative appropriation act, fiscal year 1933, is amended by adding at the end of the section the following proviso: "Provided further, That the provisions of this section as applicable to rentals, shall apply only where the rental to be paid shall exceed \$2,000 per annum."

"Sec. 16. Title IV of Part II of the legislative appropriation act, fiscal year 1933, is amended to read as follows:

"TITLE IV—REORGANIZATION OF EXECUTIVE DEPARTMENTS
"DECLARATION OF STANDARD

"Sec. 401. The Congress hereby declares that a serious emergency exists by reason of the general economic depression; that it is imperative to reduce drastically governmental expenditures; and that such reduction may be accomplished in great measure by proceeding immediately under the provisions of this title.

"Accordingly, the President shall investigate the present organization of all executive and administrative agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes:

- "(a) To reduce expenditures to the fullest extent consistent with the efficient operation of the Government;
- "(b) To increase the efficiency of the operations of the Government to the fullest extent practicable within the revenues;
- "(c) To group, coordinate, and consolidate executive and administrative agencies of the Government, as nearly as may be, according to major purposes;
- "(d) To reduce the number of such agencies by consolidating those having similar functions under a single head, and by abolishing such agencies and/or such functions thereof as may not be necessary for the efficient conduct of the Government;
- "(e) To eliminate overlapping and duplication of effort; and
- "(f) To segregate regulatory agencies and functions from those of an administrative and executive character.

"DEFINITION OF EXECUTIVE AGENCY

"Sec. 402. When used in this title, the term "executive agency" means any commission, independent establishment, board, bureau, division, service, or office in the executive branch of the Government and, except as provided in section 403, includes the executive departments.

"POWER OF PRESIDENT

"Sec. 403. Whenever the President, after investigation, shall find and declare that any regrouping, consolidation, transfer, or abolition of any executive agency or agencies and/or the functions

thereof is necessary to accomplish any of the purposes set forth in section 401 of this title, he may by Executive order—

"(a) Transfer the whole or any part of any executive agency and/or the functions thereof to the jurisdiction and control of any other executive agency;

"(b) Consolidate the functions vested in any executive agency; or

"(c) Abolish the whole or any part of any executive agency and/or the functions thereof; and

"(d) Designate and fix the name and functions of any consolidated activity or executive agency and the title, powers, and duties of its executive head; except that the President shall not have authority under this title to abolish or transfer an executive department and/or all the functions thereof.

"Sec. 404. The President's order directing any transfer, consolidation, or elimination under the provisions of this title shall also make provision for the transfer or other disposition of the records, property (including office equipment), and personnel, affected by such transfer, consolidation, or elimination. In any case of a transfer or consolidation under the provisions of this title, the President's order shall also make provision for the transfer of such unexpended balances of appropriations available for use in connection with the function or agency transferred or consolidated, as he deems necessary by reason of the transfer or consolidation, for use in connection with the transferred or consolidated function or for the use of the agency to which the transfer is made or of the agency resulting from such consolidation.

"SAVING PROVISIONS

"Sec. 405. (a) All orders, rules, regulations, permits, or other privileges made, issued, or granted by or in respect of any executive agency or function transferred or consolidated with any other executive agency or function under the provisions of this title, and in effect at the time of the transfer or consolidation, shall continue in effect to the same extent as if such transfer or consolidation had not occurred, until modified, superseded, or repealed.

"(b) No suit, action, or other proceeding lawfully commenced by or against the head of any executive agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of any transfer of authority, power, and duties from one officer or executive agency of the Government to another under the provisions of this title, but the court, on motion or supplemental petition filed at any time within 12 months after such transfer takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the head of the executive agency or other officer of the United States to whom the authority, powers, and duties are transferred.

"(c) All laws relating to any executive agency or function transferred or consolidated with any other executive agency or function under the provisions of this title, shall, in so far as such laws are not inapplicable, remain in full force and effect, and shall be administered by the head of the executive agency to which the transfer is made or with which the consolidation is effected.

"WINDING UP AFFAIRS OF AGENCIES

"Sec. 406. In the case of the elimination of any executive agency or function, the President's order providing for such elimination shall make provision for winding up the affairs of the executive agency eliminated or the affairs of the executive agency with respect to the functions eliminated, as the case may be.

"EFFECTIVE DATE OF EXECUTIVE ORDER

"Sec. 407. Whenever the President makes an Executive order under the provisions of this title, such Executive order shall be submitted to the Congress while in session and shall not become effective until after the expiration of 60 calendar days after such transmission, unless Congress shall by law provide for an earlier effective date of such Executive order or orders: *Provided*, That if Congress shall adjourn the expiration of 60 calendar days from the date of such transmission such Executive order shall not become effective until after the expiration of 60 calendar days from the opening day of the next succeeding regular or special session.

"APPROPRIATIONS IMPOUNDED

"Sec. 408. The appropriations or portions of appropriations unexpended by reason of the operation of this title shall not be used for any purpose but shall be impounded and returned to the Treasury.

"TERMINATION OF POWER

"Sec. 409. The authority granted to the President under section 403 shall terminate upon the expiration of two years after the date of enactment of this act unless otherwise provided by Congress."

That the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment insert "17."

That the House recede from its disagreement to the amendment of the Senate numbered 16, and concur therein with amendments, as follows:

In line 1 of the matter inserted by said amendment strike out "22" and insert "18";

In lines 2, 8, and 16 of the matter inserted by said amendment, after "authorized," insert in each instance "and directed"; and

In line 10 of the matter inserted by said amendment strike out "appeal" and insert "a writ of certiorari sought."
That the House recede from its disagreement to the amendments of the Senate numbered 17 and 18, and concur therein.

Mr. ODDIE. I move that the Senate disagree to the amendments of the House to the amendments of the Senate numbered 1, 14, 15, and 16, that it further insist upon its amendments in disagreement (being amendments Nos. 1 to 16, inclusive), and ask a further conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

Mr. LA FOLLETTE. Mr. President, it is my understanding that the junior Senator from Vermont [Mr. AUSTIN] wanted to offer a motion at the proper time before the conferees were appointed, for the purpose of instructing them. May I ask the Senator from Nevada whether he has conferred with the Senator from Vermont?

Mr. ODDIE. No, I have not conferred with him to-day, although I am agreeable to that course and am in agreement with the Senator from Vermont [Mr. AUSTIN] regarding his amendment.

Mr. LA FOLLETTE. If the Senator is going to insist upon his motion at this time, I would feel compelled to suggest the absence of a quorum, in the absence of the junior Senator from Vermont.

Mr. BROUSSARD. Mr. President, I do not yield for that purpose. I must decline to yield any further.

The PRESIDENT pro tempore. The Senator from Louisiana has the floor and declines to yield further.

Mr. BROUSSARD. Mr. President, I regret to have to take the time of the Senate at this late day in the session when we have only a few days left with so many very important bills pending, but inasmuch as I asked for the investigation I feel it my duty, after having heard a number of speeches made against continuing the investigation or at any rate against furnishing more funds to continue the investigation, to submit some remarks.

The conditions in Louisiana for the last several years have been such that I was warned and so were my friends that there would not be an honest election. After the primary election, had I not believed that I had a majority of the people of the State of Louisiana voting for me, I should not have protested; but I am satisfied that I had, and from every nook and corner of the State and from the most highly respectable citizens of the State, I have received letters and affidavits informing me of the manner in which the primary election was conducted. I did not care to claim anything in that election for myself, but I did file a protest. I am not claiming to have been nominated and I could not claim to have been elected, if I care to do so, because this was a primary election, but I do claim that the other candidate was not fairly nominated, and not only that, but I claim he was nominated by fraud, trickery, corruption, intimidation, and by every method known to the racketeer in this country.

It is said here that the evidence adduced before the investigating committee is not relevant. Well, Mr. President, I shall recite first a few of the facts that are in the record. I am amazed that Senators, with the experience they all have had, should come to any sort of a conclusion except that which the investigating committee should submit to them, when there are 2,400 pages of evidence which no one has read up to now, because it is not printed. The committee heard it, however, and I heard every word of that testimony in person. It is shown that the junior Senator from the State of Louisiana selected Mr. OVERTON as a candidate to oppose me; that he selected the managers to manage that campaign, and that he then and there took charge and made of those managers nothing but clerks and he himself managed the campaign, and all the time in company of Representative OVERTON, who claims to have been nominated.

The junior Senator from Louisiana says that his organization raised the funds for that campaign. Representative OVERTON's report to the investigating committee was that

he spent between four hundred and five hundred dollars in that campaign for personal expenses, and that the Louisiana Democratic Association had taken charge and raised the funds and expended them.

Then the committee asked him who were the officers of the Louisiana Democratic Association, and he said he did not know. And, Mr. President, he could not know, as I shall show in a few moments. Nobody knew. Here is the testimony of the junior Senator from Louisiana himself before the first hearing held by the Senator from Texas [Mr. CONNALLY] and the Senator from New Mexico [Mr. BRATTON]. In that hearing here is what Senator LONG said:

We want to join that view—

Making an observation as to what had been said before—and state that we were the first ones who tried to stop it.

Senator BRATTON. You refer to the Louisiana Democratic Association?

Senator LONG. Yes, sir.

Senator BRATTON. Will you tell us who is the president and secretary of that association?

Senator LONG. It did not have any president. It was an organization I formed to defeat the regulars during the impeachment in 1929. In other words, the old New Orleans organization took over my organization.

Then there is a dash, showing that he hesitated—

Major Sullivan was my leader. Mr. Rightor and I were sleeping in the same political bed then.

Mr. Rightor was representing me at that hearing, and he said:

No, sir; I never voted for you in my life, Senator, and I never slept in the same bed, and never will.

Senator BRATTON. This association did not function in this recent primary?

Senator LONG. Oh, yes; yes.

Senator BRATTON. Who directed that organization?

Senator LONG. Well, it was directed by—

And there are a few dashes.

It was just used—

And there are some more dashes—

I would say that the head of it would have been myself and that the—

Dashes again—

We had two campaign managers, Mr. Peltier and Mr. Ellender. We never thought about a treasurer until Senator HOWELL wired us and asked who he was.

Before I proceed further I want to give the date of that testimony. It was on October 5.

In 1928 there was what you might say—

Senator LONG continuing—

what was known as the Old Regulars and the New Regulars. Now, the New Regulars and the Old Regulars coalesced, and that left me with what you say those who stayed with me, and I named mine during the impeachment, the Louisiana Democratic Association. We didn't have many people at the naming of it, and we were pretty well in control, and never thought of naming officers.

Senator CONNALLY. This Democratic association of which BRATTON inquired, does it collect money for campaign funds?

Senator LONG. Yes; they collected some money.

Senator CONNALLY. Did it do that during the last senatorial campaign?

Senator LONG. Yes; it didn't collect much, but we collected it for them.

Senator CONNALLY. You mean for the association?

Senator LONG. I collected money that I gave the association.

Senator CONNALLY. To the Democratic association?

Senator LONG. Yes; and various other people did. It might not have gone through any officer, but we paid the bills. We collected about \$13,000.

We want this investigation to continue, Mr. President, because we have established that in certain departments which we have had time to cover, 8 and 10 per cent assessments were made in the month of September, and we have the names of other departments that are already in the record where it can be shown that \$77,000 were collected in the month of September for political purposes in the campaign against me. Of course the other side claims otherwise.

Senator CONNALLY. That is, these expense items show on this file here?

Senator LONG. Yes, sir.

That was the last report made by Peltier and Ellender, the managers, or supposed to be the managers, for Representative OVERTON.

Senator CONNALLY. And that money was largely collected by the Democratic organization.

Senator LONG. Yes, sir; the members of it contributed.

Then he goes on to describe how they raised the money, accounting for \$13,000.

Representative OVERTON reported to the committee that he expended between \$400 and \$500 during that campaign in paying his personal expenses, and that he had no other expenses. Traveling with him and the junior Senator from Louisiana were one or two high-sounding trucks with phonographs, loud speakers, and platforms on top where shows and circuses could be held, carrying the occupants and the helpers inside of these trucks that may have cost anywhere from \$10,000 to \$15,000 each. The same trucks he took across the line into Arkansas, followed by a highway truck carrying printed literature, to be used in Arkansas, and escorted by a retinue of 15 or 16 armed men all the time. He even brought gunmen for his personal guard into the very presence of the senatorial committee, and then he comes here and calls them policemen.

Nobody knew what this organization was. No one claimed to be an officer of it until the committee demanded that they give the names of the officers, and within a few days after the first session was held by the committee we find that they have a new president, Mr. Robert Maestri, and that they then have an organization. However, up to this time there were no officers, and Maestri's account as filed in the record accounts for but very little of Representative OVERTON's campaign expenditures, but goes back to the campaign held in January, 1932, when the governor of the State was elected, because they had been found out collecting money and forcing employees, even those earning the lowest salaries, wage earners, to contribute 10 per cent of their pay. That is in the record. They wanted to account for that and they said, "We gave \$300,000 to the unemployed; we paid the deficit of the Allen campaign, and we had so much that we gave it to Representative OVERTON's campaign. However, Mr. President, they had no officers during that time; they had no officers for some time after the 5th of October, when the demand was made by the committee that they name them.

During all that interval, during the last four or five years, there was a man who is the manager of the Roosevelt Hotel, named Weiss. He testified in the last hearing that he is the "clearing house," that he collects the money and disburses it. When he was asked how did he collect it, how did he disburse it, he said in cash. He was asked why he did that. He said that he did not have to deposit it. Asked for a reason, he told the committee many different times that it was none of their business. He was a "clearing house." To him all the money was brought, and he disbursed the money. We want to find out, and it can be found out, what these moneys were, where they came from, and where they went.

Let no man on this floor think that this is a fight against the junior Senator from Louisiana; but Representative OVERTON can not be separated from the junior Senator from Louisiana, because Representative OVERTON never would have been a candidate nor would he have made a campaign, except by the side of the junior Senator from Louisiana, who managed his fight and disbursed the money directly or through Weiss.

We want to show the system and the methods used in robbing elections in the State of Louisiana, which has been going on for a little while, in order to show that the nomination of Representative OVERTON is tainted with fraud.

Who, in this Chamber, would take the attitude that he would stop a judge halfway in a case and tell him to render a decision? I have seen cases based on a written contract where the court has stopped the proceeding; but when fraud and corruption are charged the rules of evidence are thrown wide open, and they do not apply, and

every avenue that might shed light upon the question is open to investigation.

Shall this committee be held to strict proof such as would be required under a written contract? Fraud never could be discovered in that way; and the law specifically provides that where fraud and corruption or intimidation are alleged, other things can be done besides following those rules, and any remedy is available that the presiding officer thinks is justified in arriving at a conclusion; but the Senate can not stop this investigation halfway. It would have been better not to have started it at all than to do that.

What are you going to do with Weiss, who defies the Senate of the United States? Do you propose to stop these hearings and let him stand out brazenly boasting that he has defied the Senate of the United States?

Some of the Senators, I understand, have stated that the matters offered were irrelevant. The junior Senator from Louisiana made certain selected extracts from 2,400 pages of testimony, which he read to the Senate. Any case can be proved out of 2,400 pages.

Some have said to me that the question of Indian blood was brought in. That is untrue. The only time that came up was when the brother of the junior Senator from Louisiana was asked a question, and he volunteered the statement that his brother, the junior Senator, would even pretend to have Indian blood to get votes. It was not asked by the investigator or by the committee. Nobody went into that. Nobody went into anything that I think is improper.

May I say to the Senate that there are five members of this committee. Not one of them can say I spoke to him about the result of this investigation. Not one of them can say that I ever asked him anything except as to dates of meetings. I never tried to approach them. I never saw General Ansell until I reached New Orleans and got into the chamber where the hearings were held. I have not seen him since. I held no conversation with him other than at the counsel table inside of the committee room in New Orleans. Their theory of this case is one that they have evolved themselves, without any suggestion from me.

How could Representative OVERTON ignore the fact that money was being spent for him when he was traveling in high-priced cars with the junior Senator from Louisiana, escorted by a bunch of followers in high-priced cars, followed by highway trucks carrying literature for JOHN H. OVERTON and other candidates? Where did he think the cost came from—from heaven? Still, he says he never inquired. Just the other day he was asked again, "Who are the officers of the Louisiana Democratic Association?" and he said he did not know. He does not know yet, except that he read that Mr. Maestri had been elected, and then Doctor O'Hara. What they wish to do, may I say, Mr. President, is, after the foundation has been laid to connect Congressman OVERTON with this, to stop these hearings; and that is the effort that is being made here.

I have yet to speak to a single Senator, save probably one, about this matter. I have done what I conceived to be my duty, and I have confidence in the Members of the Senate. I know that if they permit this investigating committee to continue their work they will do what the engineer speaks of as tying the ends. The evidence is already found. The witnesses are known. What needs to be done now is merely to call them up. The expense of finding them has been incurred. It is known where they are. It is known who they are. It is known what they know. Then why not let the committee go back there and finish up this matter.

I do not believe there is a single Senator on this floor who, if charged with matters such as I have charged against Representatives OVERTON, would stand for anybody's making any suggestion that the hearings be stopped. I myself, and all of you, would be demanding that they complete the investigation. If he is innocent, let this committee continue and prove him innocent. If we stop here it will be a mark against him the rest of his life.

I have nothing against Representative OVERTON. I went to school with him. He has voted for me every time I ran; but he has fallen into bad company, and there are many

others in my State, unfortunately, who have. I can tell you, however, why he does not take that stand. He has a counsel, and the counsel is resorting to the same tricks that he has been resorting to in Louisiana for a long time. There is a big show on, and he is going back and starting little side shows.

When the legislature—the Senator's legislature, then governor—authorized a committee to investigate the highway department, he vetoed the bill. He will not have any of that. In the last general election in the city of New Orleans, with not a candidate against the Democratic candidates, with no opposition, there were, however, constitutional amendments that had to be carried; and the junior Senator from Louisiana holds the machine that can count these votes. What did he do? In a fight where a justice of the supreme court was running, where a Senator was to be elected, where the Members of the House were to be elected, where every judicial officer in the city of New Orleans was to be elected, still, when they counted the votes on election day, without opposition, they found that 2,000 votes had been cast more than were cast in the election of all the above candidates; and in that election they had cast about 20,000 more than they should, probably 30,000.

What did he do? The district attorney of the city of New Orleans ordered four of the boxes brought to the grand jury. What did they show? Take a ward with 17 precincts: They are all published. They will all be in this record if they are not in there now. For the amendment, 385; against, none. There were 17 of them the same way, ward after ward and precinct after precinct. So the attorney general, elected on the junior Senator's ticket, goes over to the grand jury room and tells the district attorney to step out; that he is going to take charge of that matter. Under the law he has that authority; and he tells the newspapers that the district attorney insisted that he write him a letter. He said, "He can not investigate that. It might prevent the sale of the bonds." It was not a question of whether it was crooked or not. So that is the kind of trick that has inveigled Representative OVERTON into demanding that this thing be not completed.

The junior Senator blocked his own impeachment, which I shall come to very soon. The things that I should like to refer to are too numerous to mention.

The other day it was stated on this floor that the BROUSARD element did not expect to win. That is untrue. The Senator talks about an arbitration committee. Well, an arbitration committee of such followers as are drawn at the time for that particular purpose can not displace commissioners such as these. It is said that their report shows that it was a quiet election. If there are five commissioners against me, what complaint could there be? And it is in this record how many precincts there were where I had no representation, not only in the city of New Orleans but in 33 of the parishes of the State, containing over two-thirds of the people of the State of Louisiana.

The Senator talks about reducing the State pay roll. That is what we want to prove. We have already laid the basis to prove an increase. If he reduced the pay roll, why does he not let us show that to the committee? Why does he want the committee to stop investigating?

I want to cover the question of dummy candidates, because I do not think that is understood by many people outside of Louisiana. Those who are not here I hope will read it.

The junior Senator says that he put up dummy candidates because the other side had done so. In the parish of East Baton Rouge, in one ward, they put up 13 candidates for the school board.

The other candidate he refers to as St. Amant. I do not know St. Amant. He was running for the public-service commission, and he campaigned for a while, but after a while he withdrew when he saw he had no chance. What did they do? They put up nine candidates for the public-utilities commission against a candidate named LeBlanc, the district covering 29 parishes (counties).

The junior Senator has cited the fact that the supreme court had held against withdrawing those candidates, deny-

ing them the right to name commissioners. In all those cases cited by him the filing of the suit was after the drawing of the commissioners, when there was so little time left that the supreme court said, "There will be no time to draw new commissioners. Therefore we will let the present commissioners stand."

In this case, however, the day after the nominations closed suit was filed and Judge Butler was the presiding judge. These dummy candidates were called before the court, and they admitted that they were not candidates. One of them, Hoffman, admitted that, and the attorneys admitted that all the rest would testify in the same way. They were not candidates, but they had been asked to go on the ticket in order to furnish commissioners, so Judge Butler ruled that they had no right to and enjoined them from filing commissioners.

This matter went before the supreme court, and the supreme court had ample time and did decide before the election this very case. On that supreme court there are seven judges. Judge Land was in Europe. There were six judges sitting. One of them was a brother of Representative OVERTON. Another was Judge St. Paul, who took the position that they had no jurisdiction. Of course, Judge Overton should not have sat in that case. Judge St. Paul was a candidate for the supreme court himself at that very election, and they had for just one office down there in Orleans 13 candidates for judge in order to get commissioners. Judge St. Paul sat there, and three of the judges wanted to agree with Judge Butler's decision.

Much to my regret, I found myself in a position to have to denounce Judge Overton and Judge St. Paul, and I did it all over the State; and the junior Senator from Louisiana, after I made a statement, distorted it, and he did that on this floor again.

I made this statement on the stump, and made it in every town I went to. I said:

If I had a brother on the supreme court of this State and I could not convince him that honor compelled him to retire from that case, I would be so ashamed of myself for him that I would withdraw from the race.

He said the other day that I said I was not a serious candidate, and that I expected to withdraw. Nevertheless, Judge Overton sat on that case and Judge St. Paul sat on that case, and they brought in Judge Higgins, and he delivered the opinion, saying the court had no jurisdiction.

Mr. President, I want to tell the Senate what the court said, notwithstanding they decided against LeBlanc. I want to read what they said. I want to show what these dummy candidates admitted. The court had held before that, if a man says he is a candidate, that statement can not be questioned. If he claims he is, one can not say he is not. But here is the judgment of the supreme court. It said:

On the trial of the rule nisi the respondent judge, after having heard argument upon the exceptions, reserved his ruling, declaring that his conclusions in that respect would be thereafter announced, and proceeded to try the rule on the merits. During the course of the trial the plaintiff called one of the defendants, Edward R. Hoffman, to the stand for the purpose of cross-examination. He was asked concerning his good faith in offering for the position of public-service commissioner. His counsel promptly objected, upon the ground that the testimony sought to be elicited was not responsive to any of the allegations of the petition, and upon the further ground that the court was without jurisdiction to inquire into the bona fides of the defendants. These objections were overruled, whereupon counsel for the defendants admitted, subject to his objections, and with a reservation of his rights under his exceptions, "that the witness on the stand, if examined in this case, and the other three defendants in this case, if placed on the stand and examined, would testify in accordance to the allegations of fact contained in the plaintiff's petition, except as to those allegations of a conspiracy among themselves."

The other dummies lived and had to be sued in another parish.

The court said then:

In other words, it was admitted that none of the four—

That is, four in one county.

In other words, it was admitted that none of the four defendants were bona fide candidates in the respect that they had no intention to run for the offices for which they had announced, and had qualified merely for the purpose of putting additional

names on the list from which the commissioners of election were to be drawn for the purpose of favoring a candidate other than the plaintiff in this case.

The court further said:

To countenance the practice here resorted to would lend judicial sanction to the destruction of the objects and purposes of the primary law, the most important of which is to insure fairness in primary elections.

But they decided the other way.

Mr. President, in answer to the concluding part of the speech of the junior Senator from Louisiana on Tuesday, I wish to insert some doggerel here, except that I want to delete the last word. I would like to have it inserted in the RECORD at this place.

The PRESIDING OFFICER (Mr. RUSSELL in the chair). Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Thursday, May 19, 1932]

"I TOLD YOU SO!" LIARS AND EGOTISTS ARE ALLIED

By John J. Daly

I told you so!

I knew it all the time.

I have inside information.

I—Ego—am a great guy because I think so. As a man thinketh so is he. I am convinced that I am imperial.

I know all there is to know—on any subject. That is why I am privileged to intrude on other peoples' preserves, into their private business. I am a sacred person.

I, I, I, I, I.

The I has it.

It is natural that I should figure so prominently in human affairs. See who I am. I am the Great, I am.

I am a man!

All the world centers about my person, my activities, my hopes, my ambitions, aspirations, my desires. I control the universe. The sun shines for me. I am the reason why flowers bloom, shedding their fragrance for me. I am the listener to the songs of the birds. For me the moon shines and the stars twinkle. The earth turns on its axis once every 24 hours because I must be kept in motion.

I am the cause of the seasons' changes—the summer warmth to soothe me; the showers of spring to bathe me; the fruits of autumn to comfort me; the blasts of winter to stir my royal blood. I have the day for my endeavors and the night for sleep. For me the ocean pulsates, and I am covered by the vaulted canopy of heaven, the sky. I am the biggest factor in life.

There is no other. Even when I pray I place myself before the Supreme Being—"I believe in God, the Father Almighty, Creator of heaven and earth," who put all these magnificent gifts at my service, that I should be happy in this world and in ecstasy forever, in the next.

Here I am a citizen, a gentleman, and a scholar. There I shall be an archangel. I shall own my own ark, a celestial bark, and I will be the captain.

I know more than anybody else—professors, teachers, preachers, students, and statesmen. To me all doors are open, for I hold the key to the book of knowledge. I am all things to all men, especially in their sorrow and distress. I bring them the will-o'-the-wisp happiness, if only momentarily. I am everything but humble. I—

Oh, yes; I almost forgot to say that I am a —.

Mr. BROUSSARD. Mr. President, the junior Senator from Missouri [Mr. CLARK] the other day said that he appealed to the committee to go to Missouri, and that they told him if he had any proof, to send it or to send some evidence. The Senator stated that if they had proof, they would prosecute in their own State. We can not do that in Louisiana. The statute of frauds in the primary election laws were declared unconstitutional, and all efforts made since that decision have been fruitless, because it has been killed in the legislature.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BROUSSARD. I yield.

Mr. CLARK. I want to call the Senator's attention to the fact that what I said was that the essential purpose of such a committee as the Howell committee, in my view, was to prevent violations of the law and to supply process for investigation. In Missouri there was evidence of the excessive use of money on every hand, but, of course, neither the man putting out the money nor the man handling it desired to come in and give us an affidavit we could send to the committee. What we wanted was process to get the testimony.

Mr. BROUSSARD. Mr. President, the first part of my statement was merely to lay a premise, to make the point

that in Missouri there is a law under which a man who violates the election laws of Missouri may be punished, but we have no such law in Louisiana, and so we can not go to court in a case like that. The courts have held that the statute is unconstitutional. The house passed a bill at the last session, last year, in that regard, but the senate killed it.

Mr. President, the junior Senator from Louisiana seems to have concentrated all of his animosity against the counsel of the committee, whom I had never known before this investigation. But since he believes that the criticism of counsel in this investigation is material, inasmuch as in this particular case he is not only a Senator but Congressman OVERTON's counsel, I wish to make this comment. The Senator says that General Ansell wrote his own commission. I do not know whether that is true or not. My experience in the Army—and I have been in the Army—leads me to say that had he done that, he would not have been permitted to resign. But it comes with poor grace from the junior Senator, who, in filling out his questionnaire at the time of the draft, when we entered the World War, represented himself as a public officer and thus entitled to exemption in the draft. When he had to answer further, he wrote down that he was a notary public. The local draft board decided that that did not entitle him to exemption. Not satisfied with that decision, he appealed to the State board, and when the State board stood by the local board he appealed to the Federal board. That is how this document is here and is of record in the War Department.

The next charge is that General Ansell represented Bergdall as a lawyer. I do not know what significance is to be given to that, when it is considered that the House did not act on the report. It was merely a committee report.

Now I wish to place in the RECORD the full text of the impeachment resolution against Governor Long, as carried in the New Orleans Item of March 26, 1929.

(After reading the first 13 articles:)

Mr. President, this is very long, so I ask that it may be inserted in the RECORD without further reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter is as follows:

Whereas HUEY P. LONG, Governor of the State of Louisiana, has been guilty of high crimes and misdemeanors in office, incompetency, corruption, favoritism, oppression in office, and gross misconduct: Now, therefore, be it

Resolved by the House of Representatives of the Legislature of the State of Louisiana, in open session convened, That the said HUEY P. LONG be, and he is hereby, impeached for said offenses, and ordered to be tried by the Senate of the State of Louisiana sitting as a court of impeachment, as provided in the constitution of the State;

Resolved further, That the following are hereby adopted by this house of representatives as the articles of impeachment against said HUEY P. LONG, to wit:

ARTICLE 1

That he has used the appointive power of the governor with the hope of influencing and in the attempt to influence the judiciary of the State, and has publicly boasted that he controls said judiciary.

ARTICLE 2

That he, the said HUEY P. LONG, while Governor of the State of Louisiana, has bribed or attempted to bribe a member or members of the State legislature, contrary to the constitution and laws of Louisiana and especially Article XIX, section 20, of the constitution of 1921.

ARTICLE 3

That in violation of the constitution of Louisiana he has habitually required, as a condition to appointment to public office, signatures of appointees to undated resignations, so as to give him, the said LONG, the power of removal of public officers whose terms are fixed by the constitution or statutes of the State of Louisiana.

ARTICLE 4

That he has, through himself and through boards controlled by him, wasted, misused, misapplied, and misappropriated funds and property of the State of Louisiana.

ARTICLE 5

That he has, through himself and through boards controlled by him, contracted illegal loans for the State of Louisiana in violation of the constitution of the State.

ARTICLE 6

That through himself and through boards controlled by him, he has removed school officials of the State for purely political

purposes; and that he has been and is using said powers for the purpose of intimidating teachers and pupils in the schools and educational institutions of the State, to the end of suppressing free thought and free expression of opinion and of politicizing the educational institutions of the State, including the public schools.

ARTICLE 7

That he has, in time of peace, and not in aid of or at the request of civil authorities, and while Governor of the State of Louisiana, subordinated the civil authorities to the military contrary to the provisions of the constitution of the State of Louisiana, and as commander in chief of the State militia, has attempted to impose his own will through the said militia as superior to the courts of the State without declaring martial law, causing the said militia to loot and pillage private property and to take from the person of certain individuals their private property, and destroy private property without due process of law, all without legal authority and contrary to Article I, sections 2, 7, and 14 of the constitution of the State of Louisiana of 1921.

ARTICLE 8

That he has, as Governor of Louisiana, attempted to force official bodies in the parishes of the State to follow his dictation in regard to public litigation, as the price of permitting the passage of legislation affecting such parishes.

ARTICLE 9

That he habitually carries concealed weapons upon his person, both in his office and on the public streets and highways of the State of Louisiana, in violation of the laws of the State of Louisiana.

ARTICLE 10

That he has repeatedly been guilty of violent abuse of officials of the State of Louisiana, members of public boards of the State, and private citizens visiting him upon public business.

ARTICLE 11

That he, the said HUEY P. LONG, while Governor of Louisiana, has been guilty of gross misconduct in public places throughout the various parishes of this State, and particularly that he did, on or about February 12, 1929, in the city of New Orleans, parish of Orleans, Louisiana, participate in an entertainment where intoxicating liquor was served to him and to other guests, contrary to the constitution of the State of Louisiana and the Constitution and laws of the United States of America, at which entertainment the said HUEY P. LONG, Governor of the State of Louisiana, did deport himself in a scandalous and indecorous manner, thus holding up the State of Louisiana to ridicule and shame.

ARTICLE 12

That the same HUEY P. LONG has publicly flouted the Constitution of the United States and of the State of Louisiana and has usurped to himself the powers of the legislature of the State and of the committee thereof, and has on occasions commanded the breaking of the quorums of said committees with the purpose in view of preventing the consideration of proposed legislation by said committees.

ARTICLE 13

That he has been guilty of favoritism, in that after plans and specifications for a refrigerating plant had been submitted and approved by the officials of the Louisiana State penitentiary involving an expenditure of \$20,000, and upon the condition that bids, therefore, should be advertised, he, the said HUEY P. LONG, ordered the penitentiary officials to divide the order for said plant into numerous orders for separate and inoperative units, the purchase price of which units fell below the sum of \$1,000 rendering public bids unnecessary therefor and gave the orders therefor to one W. K. Henderson, a personal and political friend of the said LONG, as is shown and contained in the affidavit of one Bernard L. Kiernan, published in the daily press of the State of Louisiana, Monday, March 25, 1929, all in violation of the law and in contravention of the requirements of the law with reference to the advertisement by public boards of this State for bids on all material and equipment in an amount in excess of \$1,000.

ARTICLE 14

That the said HUEY P. LONG did while Governor of the State of Louisiana and in the city of Baton Rouge, and in a public place on or about the — day of March, 1929, intrude himself upon, threaten, and attempt to intimidate Charles P. Manship, owner and publisher of the Daily State Times, a newspaper published in the city of Baton Rouge, on or about the — day of March, 1929, and did threaten to make known and to cause to make publicly known the infirmities of a member of said Manship's family in his exercise of his rights as a citizen of the State of Louisiana and in an attempt to suppress the freedom of the press in lawfully opposing and criticizing certain legislation proposed or pending in the legislature of Louisiana of the special session of 1929, all of which being in contempt of the laws of the State of Louisiana, and particularly denounced as a crime by act number 110 of the legislature of 1908.

ARTICLE 15

That the said HUEY P. LONG did, while Governor of the State of Louisiana and in the City of Baton Rouge, parish of East Baton Rouge, La., during the months of February and March, 1929, demolish and destroy the executive mansion, being the property of the State of Louisiana and did raze the property to the ground without legal authority and in violation of his oath of office.

ARTICLE 16

That the said HUEY P. LONG, while Governor of the State of Louisiana, and in the city of Baton Rouge, parish of East Baton Rouge, did destroy or dispose of property belonging to the State of Louisiana, being the furniture and fixtures then located in the executive mansion, executive offices, and in the offices of the State highway commission, the State tax commission, and the supervisor of public accounts, and he, the said HUEY P. LONG, governor, has made no accounting for said property thus destroyed or disposed of in violation of law and his oath of office.

ARTICLE 17

That the said HUEY P. LONG, while Governor of the State of Louisiana, and in Baton Rouge, in the parish of East Baton Rouge, La., in violation of the law and of his oath of office as governor of the State, and over the objection and protest of the board of parole of the State of Louisiana, the only lawful body authorized to grant paroles to prisoners confined in the State penitentiary, did, on or about the 12th of November, 1928, parole and discharge from the State penitentiary of Louisiana a convict by the name of Elmer Dunnington, convicted of the crime of embezzlement in the parish of Tangipahoa, La., on the 16th day of March, 1925, the said Dunnington being ineligible for parole at the time.

ARTICLE 18

That the said HUEY P. LONG, Governor of the State of Louisiana, has repeatedly, while both branches of the legislature were in open session, appeared within the bar of the house and the senate and intruded upon the deliberations of each of said bodies by personally attempting to impose his own views on the members of the house and senate as to the merits of the pending legislation, all in violation of the constitution of the State of Louisiana, which provides for three separate and distinct branches of the government, and which prohibits the members of each of those branches from usurping or exercising the duties that belong to another, thus using the executive power of the State to interfere with the duties of the legislative branch of the government, all in violation of the oath taken by the governor of the State.

ARTICLE 19

That he, the said HUEY P. LONG, while Governor of the State of Louisiana, in the city of Baton Rouge, and in the parish of East Baton Rouge, La., did attempt to hire and induce one H. A. Bozeman to kill and murder one J. Y. Sanders, jr., a member of the House of Representatives of the State of Louisiana, as shown and set forth in the sworn statement of H. A. Bozeman of date March 25, 1929.

Wherefore, for the above and diverse other offenses, the house of representatives demands trial hereof by the senate, duly convened as a court of impeachment.

Mr. BROUSSARD. Mr. President, there is an editorial printed in the New Orleans Item under the heading "Jekyll and Hyde" LONG, on March 26, 1929. The editor and the proprietor of this paper is James M. Thompson, who is now a great friend of the junior Senator from Louisiana and was his candidate for Secretary of War, and, by the way, is a brother-in-law of the junior Senator from Missouri [Mr. CLARK]. I ask that the editorial may be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorial is as follows:

[From the New Orleans Item, March 26, 1929]

"JEKYLL AND HYDE" LONG

Of course, last night's proceeding in the Louisiana House of Representatives is explained this morning as "all a mistake, just a bit of misunderstanding as a result of confusion."

But if the senate had adjourned sine die, on false information reported to have been conveyed to it from the house, and if the action attempted by ex-Speaker Fournet, notorious as a political creature of Governor LONG, had stuck with the senate, the house of representatives would probably have been obliged to go through months of court proceedings to establish the fact that it had not been adjourned sine die in spite of the desire of nine-tenths of its members to remain in session.

In other words, a great body of decent, honest, disinterested citizens of Louisiana who want the good name and reputation of the State preserved, could by this trick have been thwarted in their desires. And to-day they would be the laughing stock of tricksters, self-seekers, and charlatans who would remain in control of our State government.

It is a time for honest men to be on guard at Baton Rouge. It is time for all men to realize that in dealing with HUEY LONG they are dealing with a man who is neither ordinary or normal. For a long observation of the public men of our generation we recall no parallel to this man in either his personal or public career.

On Sunday, last, Herman P. Deutsch, writing from Baton Rouge for the Item-Tribune, spoke of Jekyll LONG and Hyde LONG, comparing Governor LONG to the famous characters, Doctor Jekyll and Mr. Hyde. Fit these characters into last night's attempted trickery on the senate by Mr. LONG's creatures in charge of the house machinery. Note how quickly it all becomes a "mistake" as soon

as the trick failed, and watch the game Long plays as the proceedings go on at Baton Rouge.

But healthy, wholesome normalcy seems to be returning to the legislature—which this extraordinary and abnormal man boasted in public meeting to be his deck of cards which he could shuffle and handle as he desired.

Many of these men have been simply temporarily hypnotized, as have been many others outside the legislature, by this extraordinary and abnormal man—a person who seems to have no respect whatever for the decent opinion of mankind.

We would caution these men in dealing with Long to take most careful counsel among themselves and to put none but true and tried and trusted men on guard to deal with him and with his case.

Normal men and women will be shocked into unbelief when they read the confession of "Battling" Bozeman—a political supporter, personal friend, confidant, and personal bodyguard of Governor Long until a few days ago. Bozeman simply claims that Long attempted to get him to murder young J. Y. Sanders, a member of the legislature. And it was to stop the privileged exposure of this statement made on the floor of the house that Long tried to adjourn the legislature by a crude trick.

Yet is this charge of Bozeman any more unbelievable than Long's broadcasting to Louisiana and the world his determination to bring to terms Charles Manship and his papers in Baton Rouge by broadcasting the fact that Manship had a brother who was a patient in an insane asylum?

The list of abnormal things this man has said and done can be multiplied indefinitely. And these things are being blazoned to the four corners of America to the temporary detriment of the good name and reputation of Louisiana. Indorsed by the legislature and continued for the next three years they will do the State great harm.

There is no doubt that it is the duty of the legislature to investigate this man thoroughly, fairly, and impartially. It owes this to its own membership.

This paper doesn't believe that Louisiana is safe with the legislature adjourned.

Mr. BROUSSARD. Mr. President, there is only one thing I want to deal with tending to show what happened to the impeachment charges. The impeachment charges were sent to the Senate of the State of Louisiana. I read from the New Orleans Times-Picayune of September 14, 1929, that a special session of the legislature was to be held September 22, 1930, soon after the impeachment charges had reached the senate and the governor, according to the press and according to those present at the legislature, had given enough positions to senators to get 15 of them to sign a round robin that no matter what the proof might be they would not vote to convict him. Thereupon the senate adjourned. But the proceedings were still pending. We find him then getting together with the regular organization in New Orleans, against whom he had been very much opposed. We find that the Times-Picayune said on the 14th of September, 1930, that the governor would call the legislature to convene in special session on Monday, September 22, to consider a constitutional amendment providing for paved roads, and so forth. Things moved fast.

Individual negotiations were quickly effected and compromises made. We find that on the 16th of September there was published a call of the legislature, dated September 15, calling the legislature to meet on the 16th at Baton Rouge. We find that the press carried a statement that the governor had arrived at a conclusion with the organization in New Orleans, or with some of the leaders in New Orleans. To quote the Times-Picayune of September 16:

Opposition was expressed by certain old regular leaders and members of the legislature, it was said, to the governor's proposal that the impeachment charges against him in the senate be dismissed, and that the board of managers named by the house of representatives to prosecute the governor on the impeachment charges be discharged.

We find the same statement carried by the New Orleans Item. Remember, the legislature met on the 16th. On the 18th of September, two days afterwards, carrying out the deal that he made with the organization in New Orleans, a resolution, such as was agreed should be adopted, was adopted. Even if all the formalities had been waived and the usual delays avoided, no action could legally have been taken on a bill within five days, but the resolution passed within two days. The legislature met on the 16th and on the 18th the resolution was passed in the house asking the senate not to prosecute the case.

Mr. President, I mention all these things, not that I know General Ansell but because of the unfairness of the Senator with that record coming here and talking about Ansell.

I have here a circular which the junior Senator from Louisiana sent all over the State when the committee adjourned, calling it a "kangaroo court" in most scurrilous language. I do not think it is fit to go through the mails. I am afraid to offer it for insertion in the Record. It is an insult not only to the committee but to the Senate of the United States, because that committee represented the Senate of the United States. He calls everybody scoundrels, liars, and thieves.

Let us see what the Senate of the State of Texas said about the Senator. I assume, Mr. President, that an act of the senate of the legislature of a sovereign State is permitted to be read here without deleting anything. Here is what the Senate of the State of Texas said about the present junior Senator from Louisiana who talks about General Ansell being condemned by some committee:

SENATE OF TEXAS, STATE HOUSE,
AUSTIN, TEX., September 16.

The Senate of Texas in a formal resolution adopted by a vote, 21 yeas to 7 nays, denounced Gov. HUEY P. LONG—

Well, I will not read that part because it is not the resolution—

As a consummate—

The resolution describes the statement made by Governor Long that the Legislature of Texas had been bought like a sack of corn to vote against the cotton-prohibition plan.

The full text of the resolution follows, and I think I am within my rights in reading it:

Whereas the Associated Press of the date of the 16th of September, 1931, carries a statement issued by Gov. HUEY P. LONG, of the State of Louisiana, as follows:

"It is an open matter of conversation—

These are the words of the junior Senator from Louisiana who was then Governor of Louisiana—

"It is an open matter of conversation and of world-wide known fact that members of the Texas Legislature have been bought like a sack of corn to vote against the cotton-prohibition plan. It is so well known that it is a matter of openly admitted conversation that they have paid them off like a slot machine. Every State in the South is ready to vote the prohibition plan and the people of Texas are voting for it, but the corruption at Austin alone stands in the way. It is a standing disgrace to the shame of the South and to the impoverishment of the people."

Then the resolution goes on:

And,

Whereas this statement is not only untrue but carries the vice of a lie and the venom of a liar; and

Whereas it is an assault by the executive of the State of Louisiana upon the legislative department of the State of Texas, and should not be permitted to go unchallenged, but should be met with a proper denial and denunciation: Now, therefore, be it

Resolved by the Senate of Texas (the House concurring), That the above and foregoing quoted statement of HUEY P. LONG, governor of the State of Louisiana, is a lie made out of the whole cloth, and its author is a consummate liar.

Mr. President, I hate to use those words, but if a man employed as counsel by a committee of the Senate who appeared once before a committee of the other House, which submitted a report which was never acted upon, may be called a scoundrel, a thief, and a liar and everything else on this floor, then on this floor I think I owe it to the Senate to show the record of the man who does that, for I am not speaking of him as a Senator; for he is also counsel in this case. As I have said, I have here a circular that went all over of the State of Louisiana. I would not want to read it because it is not privileged, but I think what I have read is privileged.

Mr. President, there are many things that may be brought out and that can be brought out, I am told. I do not know of them intimately and personally, but I have been told so in a general way by the investigators. I never had any private talk with them, but I have had conferences in the presence of members of the committee, and I think that the investigation ought to be continued because it has gone too far to be stopped. Otherwise it should not have been started

at the beginning, but as it has been started it should be finished.

Mr. President, I shall reserve whatever else I have to say for some later date.

Mr. LONG. Mr. President, I wish to correct only such matters as are patent errors in my colleague's statement. I do not wish to discuss matters that are not shown by the record. I do not think it would be relevant to this case to try the public or private career of my colleague, because I do not consider that to be relevant.

My colleague has seen fit, Mr. President, to read the articles of impeachment preferred against me by the Legislature of Louisiana in 1929. Those articles were preferred against me by the house of representatives in the month, I think, of April, 1929. The same members of that house, Mr. President, sent a committee to the senate the following year to withdraw them, and they were withdrawn. That was done as the result of the election which occurred in the State of Louisiana between Senator Joseph E. Ransdell and myself, in which I was elected to the United States Senate, and everybody who ran on the ticket which I had the honor to head was elected in the same election.

The same legislature, Mr. President, which preferred those charges of impeachment—based on the ground that \$2,000 in one instance had been spent illegally and that \$400 in another instance had been spent illegally—the following year the same legislature, composed of the same members, voted approximately \$100,000,000 to be expended by my administration, and that action was ratified by the people by majorities of 15 or 30 to 1. That is the means and the manner by which the impeachment received its final quietus.

I did not have the help of my colleague, Mr. President, in that impeachment fight which I am satisfied he considers to his aggravated honor, but in my colleague's fight he had my help.

My colleague has seen fit to say that the Senator elect from Louisiana, Mr. JOHN H. OVERTON, was such an elegant man that he was at one time his schoolmate and had supported him for every public office; but, says my colleague, Senator-elect OVERTON fell into bad company in the last campaign. However, six years before my colleague was in the same company that Senator-elect OVERTON was in during the last campaign. My colleague sat on the speakers' stand with me at nearly every meeting that was held in his campaign six years previously, and it did not seem to injure the good service of my colleague, because he has acquitted himself with distinction here during the six years following the time that I helped to reelect him to the Senate. I am very proud of the part that I took in the campaign of 1926 to reelect him to the Senate.

I do not think you will find, Mr. President, a single public advertisement of the meetings for my colleague in 1926 that did not contain my name on the bill announcing the speaking engagements. There may have been some few exceptions, but if there were they were very few.

Mr. President, I undertook to keep all these matters from being injected into this case; but I am sure that my distinguished colleague forgets a little bit. It is only natural that he should; he has been concerned with national issues here for a number of years, and it is only natural that he should have forgotten some of the things concerning which he has undertaken to inform the Senate. He has forgotten, Mr. President, that the impeachment of 1929 started over whether or not I should be allowed to impose a tax on the business of refining oil. He has forgotten that the impeachment resolution came from a mass meeting that recommended that impeachment be lodged on several grounds, without naming what they should be, because of the fact that I had undertaken to impose a tax on the business of refining oil in the State of Louisiana. He has forgotten the fact that in that mass meeting the Standard Oil brass band furnished the music. He has forgotten my statement, Mr. President, on the floor of the senate that on the night of the round robin six members of the Senate of the State of Louisiana held up their hands in public and said that they had been offered from \$85,000 up to vote for my impeach-

ment on the following day, and gave the names, dates, and addresses of the persons. Then he condemns the round robin, which was approved by the people of the State and subsequently by the legislature.

The adjournment that was taken was not different in method from the adjournment in the case of the impeachment of President Andrew Johnson. That was a motion to adjourn sine die after they had defeated one charge. By a strange coincidence it happens that on the trial of Andrew Johnson, after voting down two impeachment charges, they moved to adjourn sine die; and by a strange coincidence in my impeachment they voted down one charge and moved to adjourn sine die.

My friend has forgotten a great many more things, Mr. President. I shall take but a few minutes to describe them; but I do not want him to leave the Senate without his memory being corrected on them and without justice being done to my friends.

I had nothing to do with electing Senator OVERTON's brother to the supreme court. He was elected without opposition long before I was a factor in politics. I had nothing to do with electing Judge St. Paul. He was elected to the supreme court before I was a factor in public politics in a state-wide way. But, Mr. President, there never was any motion to recuse Justice Winston Overton in the LeBlanc case until after it had been decided. Senator BROUSSARD was not a party to that suit. JOHN H. OVERTON was not a party to that suit; and the LeBlanc case, without one single mention of criticism of any kind or character, was decided by the supreme court in a case in which neither Senator BROUSSARD nor Senator OVERTON was a party to the litigation.

The case in which the recusal of Judge Winston Overton was asked before decision was the one in which Senator BROUSSARD was a party. In that case, when he was a party, Senator-elect OVERTON made himself a party to the suit in order that his brother might, under the code of that State, have legal grounds for his own recusal, and was recused.

The first mention that was ever made of Justice Winston Overton being recused in the case was after the commissioners had been drawn and the decision had been rendered. After that the first mention of the matter was made, on a motion for rehearing, long after the case had been decided and the commissioners had been drawn.

The Senator states that I did not want to go to the war between America and Germany. He is not giving any new information. I never was in favor of the war. I might have been wrong. I never was in favor of the war, Mr. President, and I never made any effort to go. I was excused from going to the war on the ground of having a wife and two children. I am not the only man who was excused from going into that Army. I will say further, however, that I have not raised any great hubbub and claptrap over the country on the subject of war debts. If I had voted for the war, which I did not do, as "a war to save civilization," I would not stand up here and make an argument contrary to what I would have said to have been the patriotic purpose of this country in helping other countries.

Now, Mr. President, about commissioners: Do not have any misunderstanding about this. They tell you they are going to develop some facts. They had five months in which to develop them, and they have produced every witness they could. The record here shows that they produced every witness they could. After they had gone 5 days' time, or 6 days' time, or 7 days' time, and could not produce any witness for anything else at all, they took up 1 week in trying the case along the lines of my colleague's speech this morning. He has not stated in the RECORD any more than the other evidence did; but what are the witnesses? What are the witnesses he claims to have? They could not dig them up down there. They dug up whatever they could. They have spent 5 months in trying to find witnesses, and have spent 12 days in a hearing, and could not bring up any witnesses except a few witnesses to testify about 1 box that had 11 votes in it that had the lock broken—that is one thing they tried to

prove, which two witnesses disputed—and another witness said that he heard a man, when he was counting the votes, say that "BROUSSARD has got a whole lot of votes here." That was another one of the things that they produced a witness to prove.

The only other direct thing that I remember at all that was brought into the case, with what they had there relative to election irregularities, was by hearsay testimony of a man by the name of Williams, who swore that a lot of men had been beaten up on the day of election. The Broussard arbitrator took the stand and swore that it was not so, and the chief of police said it was not so, and the United States marshal said he did not hear anything about it, and nobody but this double-hearsay-testimony man had ever heard anything about it.

Now my friend [Mr. BROUSSARD] says—and he is my friend, I am not going to let a little political campaign incense me against a man with whom I was associated politically to the extent that I was with my colleague; we probably will be together again, it would not be anything unusual, they all come back. When I get beaten I will join them. That will be the only difference. We have that system down there, Mr. President. Those that beat us we join. Those that we beat join us. "Jine the cavalry!" We learned by good precedent that there was not any use in fencing yourself out.

Mr. President, I have here a few little figures, that I should like to have you know, about who is to be condemned for having been elected by the New Orleans vote in Louisiana.

When I ran for governor in 1924 I went to the Orleans Parish line ahead of both candidates, Mr. Fuqua and Mr. Bouanchaud. In 1924 the county vote was, Bouanchaud 60,000, Henry Fuqua 48,000, HUEY P. LONG 61,000. That is in round figures. I am leaving off the figures above that.

Mr. Fuqua, who was elected governor, went into New Orleans 13,000 votes behind me; but Orleans Parish gave Mr. Fuqua 21,000 more votes than it gave me, and gave him a lead of 7,000 and put him in the second primary, and he was elected governor of the State.

That was in 1924.

In 1928 I ran for governor again. I beat my two opponents—one of them the governor of the State and another one a Congressman who is still here, who is chairman of the Flood Control Committee of the House, the Hon. RILEY J. WILSON. I beat the governor of the State and the Congressman in the country by a vote of 9,000 votes more than both of them put together. That was in 1928. I was defeated in New Orleans in that election by the combined vote of my opponents by something like 50,000 votes. There was no second primary. I was given the nomination without having a second primary.

That is my record. That is not all.

I ran again for the United States Senate in 1930. What did New Orleans have to do with electing me that time? I carried the country by a clear majority. I carried the country by 42,000 votes. I was defeated in the city of New Orleans by 4,600 votes. I came to the United States Senate with a vote by which the country overcame the city. I never have carried the city of New Orleans in any election I ever had in my life when I was a candidate.

Now let us go back and see how my distinguished friend got here. He talks about the "New Orleans ring," and the "Huey Long organization." It took us both to keep him here, as I will show you by records.

I never bit the hand that fed me. I will never come in and hold an office and condemn the organization that put me in. That may not be good politics according to some standards, but it is politics in my way. Whenever I accept the support of a man for a public office, and take him on the platform, and announce that I am glad to have his votes, and hold him up as a holy apostle to carry my candidacy for me, I will never bite the hand that feeds me. I never have done it. That may be right. I do not say it is not; but let us go back to 1920 and see how my friend came to the Senate.

Country parishes: My distinguished colleague lost the country by 8,408 votes. He was defeated in the country by 8,408 votes. But the city of New Orleans gave my distinguished colleague a majority of 17,000 votes; and it was the city of New Orleans, that overcame the country in 1920, that gave my distinguished colleague the opportunity to be of the great service that he has been to this country, of which our State and all of our people are sincerely proud.

Let us go down a little bit farther.

In 1926, when my distinguished colleague was a candidate for the United States Senate, did he owe anything against New Orleans? No. He carried the country that time—I was supporting him in that race, and on the stump in every speech he made, with the exception of two or three, maybe four—he carried the country that time by a scant vote. I think it is here. He carried the country by about 700 or 800 votes, but he also carried the city of New Orleans in that election by 2,633 votes. So he had the city of New Orleans that time with him.

When my distinguished colleague was defeated in the last election, was it the "New Orleans ring" that did it? Was it the New Orleans vote that did it? Let us see, Mr. President.

Mr. OVERTON received a majority in the parish of Orleans of 25,887 votes; but in the country outside of New Orleans—north Louisiana, east Louisiana, west Louisiana, among the farmers and among the laborers, in the wide-open spaces—Mr. OVERTON received a majority over Senator BROUSSARD of thirty thousand three hundred and odd votes. In other words, Mr. OVERTON's majority was much greater in the country than it was in the city; and he carried the city, and he carried the country, and he carried practically every part of the State of Louisiana, from the north Louisiana "hill-billy" farm section down to the Acadian section, the French section of our State, with the exception of one congressional district, the home congressional district of my distinguished colleague, which Mr. OVERTON lost by, I think, 500 or maybe a thousand votes.

Mr. President, those are the details. Those are the statistics.

Mr. President, my colleague says that there were 20,000 too many votes cast in the last election between OVERTON and BROUSSARD in New Orleans. Let us see if that seems to be in accordance with the facts.

In the governor's race, which occurred last year, in 1932—and the registration and the vote were never attacked in the governor's race of 1932—the parish of Orleans cast 98,000 votes plus. In the Broussard-Overtton race the parish of Orleans cast 87,000 votes plus. In other words, eleven or twelve thousand less votes were cast in the Broussard-Overtton election in September than were cast in the governor's race in January.

I think I can make another comparison which will show whether that is about right or not. In the campaign between Long and Ransdell for United States Senator in 1930, 83,000 votes were cast. So there was an increase in the New Orleans vote of only about four or five thousand votes from September, 1930, to September, 1932, and I think the census will show that there was much increase in population, to say nothing of the fact that that was 11,000 votes less than were cast in the race for governor.

Everybody knows of the intense drive down there to get everybody to pay his poll tax. In Louisiana we have a better system than exists in some other States. In order for a man to be able to vote, he must have paid his poll tax for two years previous to the election, and be able to exhibit his receipts. He must have registered a certain length of time before the election, and had to be able to show a poll-tax receipt for the two preceding years, not the year of the election, but the two years preceding. In the 1932 election a man had to exhibit a poll-tax receipt for 1931 and another one for 1930, unless he was 60 years old or older, and in that event he had to be registered the same as any of the balance of the voters had to be registered.

Mr. President, I am very sorry the senior Senator has seen fit to make some of the statements he has made here. He

said he wants to find out about the pay roll. At the close of the whole investigation I had inserted in the CONGRESSIONAL RECORD a report from every one of the departments, what they had given to me, a synopsis, a telegram which came here after I had shown that there had been an immense reduction in the public pay roll of September, 1932, the date of the Broussard-Overton election, as compared with the pay roll of September, 1931, that almost 50 per cent of the employees had been reduced on account of the depression, at the time of the Broussard-Overton election, as compared with the election before. Notwithstanding that fact, there was no effort to contradict the statement at all, and when we had finished the hearing, they said they wanted the departments to send them a statement showing what the pay rolls were for two years before.

It so happened that those were matters of public record in the office of the secretary of State, for, unlike most States, there is a law in Louisiana that requires every board and every department to file a quarterly report showing the changes made, and how many men are carried on the pay-roll, so as to prevent any such thing as we are now charged with. That was not the law until my administration came into power. That was an administration measure written and enacted during the time I was governor of the State. Those are matters of public record, and will be sent here, and there need be no delay of the inquiry waiting for that information to be supplied to the Senate.

Mr. President, my distinguished friend says that I vetoed a bill to investigate the highway department. I did not veto any bill until they had spent over \$100,000 of public funds investigating, and had found nothing. I did not veto a bill until they had spent several hundred thousand dollars of private funds and found nothing, and when they had spent several hundred thousand dollars—I see my friend the Senator from Illinois [Mr. Lewis] laughing. He happened to come to New Orleans during some of that investigation. When they had spent about three or four or five hundred thousand dollars, I vetoed the bill, and submitted the matter to the people, and the people sustained us by an alarming majority, and the majorities have increased ever since.

There was another statement I am sure my friend did not mean to make. He said that the evidence in this record showed that Representative OVERTON, now Senator elect, had traveled in high-priced cars, followed by highway trucks with literature. That is not in the record. The contrary is in the record, that there was no such thing as a publicly owned truck or a public employee in the campaign at all, that what men had been used in that campaign and had ever been connected with the highway department, had been forced to resign their positions, and to be paid personally and privately, and to ride in cars that were no part of the State's property. That is in the record, and it is not disputed by one line of anything like legitimate testimony.

Mr. President, the Senator says that there were 15 or 16 armed guards secreted in those automobiles. Nobody knows anything about that but the Senator. I take his word for it, but there is no record of it. On the contrary, the evidence was to the contrary.

The Senator has been a Member of the Senate, but has forgotten the law in many particulars. His knowledge of the law, I must say, was extensive when he came here, because I certified to that fact myself before the electorate of the State, and I am not willing to go back on it at this late date. The Senator says that all rules of evidence are thrown down when fraud is charged, and you do anything you want to in an investigation of fraud. That is not the law.

The law is that fraud must be proved by just as competent evidence as anything else. While there is a reasonable latitude allowed, yet competent testimony must be submitted to prove fraud, the same as anything else. Double hearsay evidence and opinion evidence is no more admissible to prove an act of fraud than it is to prove that the time of the day is something else than it really is.

My friend says—I refer to my colleague—that OVERTON could not have made a campaign if I had not been with him. Let us just take a look at it and see. There had been

a race down there long before, and my colleague did not support OVERTON. In the former campaign—and the record is here to show it—Representative OVERTON, who was then a private citizen, running without any organization of any kind at all, according to the record—and, as I have said, the record is here to show the facts—lacked less than 100 votes of carrying the country parishes, at a time when all organizations and all newspapers and my distinguished opponent, and all the balance of them, were against him, in 1918. But four years ago Representative OVERTON carried a large majority of the country parishes, and lacked but a very small vote of having led the entire ticket in the country in that election. Every one knows that it was the vote in the city of New Orleans that kept JOHN H. OVERTON out of the United States Senate in 1918, long before I came to be a political factor, and at a time, I think, when I was running for my first public office.

Mr. President, to show how much better the distinguished Senator fared than candidates always have fared down in Louisiana, here is the record of the race which I made for reelection as railroad commissioner in 1924 in the north Louisiana district. The administration's candidate, Senator Walter L. Bagley, received 8,500 votes; and in that election I received 45,000 votes, a majority of 37,000 votes. My colleague, the senior Senator from Louisiana [Mr. BROUSSARD] ran much better in 1926 than my opponent did, and much better this time than he did the time before in the north Louisiana territory.

Mr. President, there is another thing to be noted; and I want to apologize to the Senate. I am trying to take just as little time as I can, and I want to answer just such of these things as are matters of record, and no more.

The Senator has told the Senate about campaign funds, and I hope I may have the attention of Senators on this. This is what the Senator has failed to tell. He has not told that we had to raise about \$45,000 for the National Democratic Party. We did not have the Senator's help in doing that down in Louisiana. I am satisfied that he contributed directly, but he did not contribute through us, and the record will show that. I know he is a good, loyal Democrat, just as good as I am, particularly on the tariff [laughter], and I am satisfied that there is no question whatever about that, but I will say this, that in raising the campaign funds he is talking about, when he said that \$77,000 was raised, he did not take into consideration the fact that \$45,000 that had to go to the national ticket, had to come from somebody, which would have left but about \$34,000 or \$35,000. The statement is that there was spent \$77,000—and there was no such thing, or one-fifth that much—but there were seven Representatives, a candidate for railroad commissioner, several judges, and a United States Senator, and if they are all added up and the \$77,000 is divided among them, the entire campaign expenses for each candidate would not have been more than four or five thousand dollars.

A statement was given, Mr. President, which I put into the RECORD, showing that certain money had been raised, and how it had been raised, but it was no different from the way in which the Republican Party raised its funds. Right in our own jurisdiction they raised their money in the same way we raised ours. Whoever says that the employees and officers of the Republican Party were not asked to contribute to the campaign of the Republican Party is speaking without his host. The Democrats did the same thing. Who is going to contribute, the man who has no job or office or the man who has one?

The Senator sees fit to attack the witness Weiss. I have put Weiss's testimony in the CONGRESSIONAL RECORD, and I have yet to find a single man who has upheld the kind of questions that were asked of that man, or has questioned the propriety of his acts, not one single man. The testimony is in the CONGRESSIONAL RECORD. I went to the trouble to put it into the RECORD so that everybody could see it, and I have yet to find anyone who has questioned it, from topside to bottom, as having been anything but proper.

The Senator says that he is amazed that Members of the Senate would come to any other conclusion as to what the committee found. Go find out what the committee found, gentlemen of the Senate. Go find out what the committee thinks of that kangaroo court. Ask the members of the Senate committee. I am not talking to them about it, and I can not tell the Senate what they are going to say; but the Senator wants the Senate to find out what the whole committee thinks. Go and ask them and find out.

There was somebody down in Louisiana besides the chairman. Ask him [Mr. CAREY, of Wyoming] and see what he thinks about it. I do not know what he will tell. I know what he said here the other day on the floor—that a lot of this business was irrelevant.

Mr. President, I want to repeat a little statement from the Senator [Mr. BROUSSARD]. I took it down in handwriting, and I am satisfied it will appear in the RECORD exactly as I have it here. Just a moment ago the Senator said these words:

I am not claiming to have been nominated.

Mr. President, the law of Louisiana gave the Senator the right to go into court and throw out any box that was not regular. It gave him the right to have the votes counted again. It gave him the right to go in there with anything on the living earth he could prove that would show that there was fraud in any kind of a return, and have had it thrown out.

He was given every right under the law if he wanted to go before the court and contest the primary election, but he did not see fit to do so.

I have to differ with one of the statements of the Senator, but it is a matter of record and that will show who is in error. The Senator said that he did not say that he would retire from the race if certain things were not done. He may be right about that. I will take the files of the Times-Picayune and I will insert in the record in this case just what he did say, as recorded by the paper which was supporting him at the time. My recollection of it is, however, that we were faced by an immediate withdrawal of the Senator as a candidate unless we did it and we wanted to be certain that he did not withdraw. It was because of that fact that we took it upon ourselves to go to extra length to see that what the Senator, our opponent, wanted done was done so that he would not withdraw from the campaign for the United States Senate. We did not want him to withdraw for a very good reason. Why? Because we had a lot of candidates in the country and we knew that with those other candidates in the field the Overton ticket would all be elected, and we knew if he withdrew from the race it would jeopardize the race by not having a strong leader to carry on the campaign.

That is my side of it. The Senator may be right. I do not remember, but I am going to get a clipping from the paper published at the time which was supporting the Senator in the campaign, and I am willing to venture to risk whatever reputation I have that I will be sustained when I produce the clipping from the paper. I still, however, grant that the Senator's memory may be better than mine, but I am certain that it is not.

Mr. President, I believe that is about all I am going to undertake to answer at this time. I have tried to stay within bounds that I think are proper in this matter. I do not expect much publicity to be given to my answer. I only expect publicity be given to the charges. We have never been able to get the statistics in the record counteracting the charges made.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the joint resolution (S. J. Res. 256) authorizing the Comptroller of the Currency to exercise with respect to national banking associations powers which State officials may have with respect to State banks, savings banks, and/or trust companies under State laws, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 88. An act to authorize the Postmaster General to investigate the conditions of the lease of the post-office garage in Boston, Mass., and to readjust the terms thereof;

S. 466. An act for the relief of the Allegheny Forging Co.; and

S. 4327. An act for the relief of Lizzie Pittman.

NOMINATIONS IN THE PUBLIC HEALTH SERVICE

Mr. ROBINSON of Arkansas. Mr. President, as in executive session, I ask unanimous consent for the present consideration of sundry routine nominations in the Public Health Service.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Is there objection to the present consideration of the nominations as in executive session?

Mr. McNARY. I have no objection.

The PRESIDING OFFICER. Without objection, the reading of the nominations will be dispensed with, and without objection the nominations will be confirmed.

Mr. ROBINSON of Arkansas. I ask that the President be notified.

The PRESIDING OFFICER. Without objection, the President will be notified.

(The nominations this day confirmed appear at the end of to-day's proceedings.)

TRIBUTE TO DR. A. K. FISHER

Mr. SHEPPARD. Mr. President, when the Department of Agriculture appropriation bill was before the Senate I intended to call attention to the distinguished service of Dr. A. K. Fisher, a retired official of the Bureau of Biological Survey, but was unavoidably prevented.

Doctor Fisher entered the Department of Agriculture in 1885. He retired in September, 1930, having served continuously 46 years and 3 months. In 1906 he helped to organize the beginnings of the present Bureau of Biological Survey.

Doctor Fisher organized and directed work which in the aggregate has saved millions of dollars worth of livestock through the destruction of predatory animals, and also perfected and put into operation the methods for the control of rodents that destroyed farm produce and forage on the public ranges.

As long ago as the year 1890 he experimented with poisons as a means of destroying coyotes, and 40 years ago he directed the work which resulted in the killing of many wolves in Montana.

Although the experiments were carried on, it was not until 25 years ago that Doctor Fisher was placed in complete charge of the Biological Survey's economic work of controlling crop destroyers and animals that were bubonic-plague carriers in California and later of controlling the rodent hosts of tick carriers producing spotted fever.

In the year 1913 \$43,000 was the total amount appropriated for this necessary work. Three years later a \$75,000 urgent deficiency appropriation was voted. It was appropriated because of the prevalence of rabies in wolves and coyotes. One year earlier the western range country was divided into districts, and each soon was placed under the direction of an assistant who directed the work of the trappers of predatory animals. Doctor Fisher kept closely in touch with all these assistants and with virtually all of the trappers. He was sympathetic with their troubles and encouraged them by word and example in order to increase the efficiency of their labor.

It was he who first directed attention to the advantage of the salary system as against that of the bounty. It had been found in one State which offered a bounty on coyote scalps that many persons, seeing the possibility of making money, imported these scalps from distant States, paying for them about one-third the amount offered for the same scalps in the State in which they were operating.

In Michigan, where the bounty system was established, the State paid \$300,000 annually with but little result, according to my information. The services of the Biological Survey were offered. Field men under Doctor Fisher brought the wolves quickly under control at the cost of little less than \$40,000.

At different times Doctor Fisher met Government officers, officers of livestock associations and stock raisers, and he managed to get their cooperation to such an extent that finally the Federal appropriations were more than balanced by State and individual contributions. His assistants wiped out the foot-and-mouth disease among deer in the Stanislaus National Forest, and thereby prevented the spread of this dread cattle disease to domestic livestock.

Not long before the doctor's retirement the appropriation for his work for the year ending June 30, 1927, was \$533,290. It was money well appropriated and well spent.

All of Doctor Fisher's field men had the utmost confidence in him. They felt that when they were doing right he would stand by them against any unjust criticism. Secretary of Agriculture Wallace, who met many of the field assistants, said that the esprit de corps of this division of the Biological Survey was the best in the department.

One of the assistants, not now in the service, recently wrote to Doctor Fisher:

I am wondering if many of the service employees realize what a wonderful bureau you have built.

About a month ago Mr. F. R. Marshall, secretary of the National Wood Carriers Association, wrote to Doctor Fisher, saying, in part:

Some statements recently have come to my attention which seemed as if they might possibly have been intended to raise the question as to the character and value of the great work you did while you were in the Biological Survey in connection with predatory-animal control. * * *. I am sure that a great deal more than the majority of those who have studied the question and are familiar with local efforts at control, and who also know the plans and scope of the system put into effect under your direction, realize that the Biological Survey plan as it was up to the time of your leaving the office was by all odds the most effective and most economical plan that could be devised for the job.

I do not feel that I can let the opportunity pass without paying a tribute to the great work of the conservation of livestock which was done under the direction of Dr. A. K. Fisher, recently retired from his position in the Biological Survey of the Department of Agriculture.

THE CALENDAR

Mr. McNARY. Mr. President, I renew the unanimous-consent request submitted at 1 o'clock.

The VICE PRESIDENT. Let it be reported.

Mr. McNARY. Probably I should restate it. I ask unanimous consent that the Senate resume consideration of the calendar at Order of Business No. 1377 and proceed to the consideration of unobjected bills on the calendar, subject to the 5-minute rule, to the end, Order No. 1409.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll and the following Senators answered to their names:

Ashurst	Carey	Harrison	Moses
Austin	Clark	Hastings	Neely
Bailey	Coolidge	Hatfield	Norbeck
Bankhead	Copeland	Hayden	Norris
Barbour	Costigan	Hebert	Nye
Barkley	Couzens	Johnson	Oddie
Bingham	Dale	Kean	Patterson
Black	Dickinson	Kendrick	Pittman
Blaine	Dill	Keyes	Reed
Borah	Fess	King	Reynolds
Bratton	Fletcher	La Follette	Robinson, Ark.
Brookhart	Frazier	Lewis	Robinson, Ind.
Broussard	George	Logan	Russell
Bulkley	Glass	Long	Schuyler
Bulow	Glenn	McGill	Sheppard
Byrnes	Gore	McKellar	Shortridge
Capper	Grammer	McNary	Smith
Caraway	Hale	Metcalf	Smoot

Steiwer	Thomas, Okla.	Tydings	Watson
Stephens	Townsend	Vandenberg	Wheeler
Thomas, Idaho	Trammell	Walsh, Mass.	White

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present. The Secretary will state the first bill in order on the calendar.

Mr. VANDENBERG. Mr. President, the first bill now in order and the seven succeeding bills on the calendar are all House bridge bills in regular form and unanimously reported from the committee without amendment. I ask that they may be considered en bloc and considered to have passed through the various parliamentary stages.

Mr. ROBINSON of Arkansas. What are they?

Mr. VANDENBERG. As I have said, they are eight bridge bills.

Mr. ROBINSON of Arkansas. Have they all been unanimously reported?

Mr. VANDENBERG. Yes; and they are all House bridge bills and have been reported without amendment.

Mr. ROBINSON of Arkansas. Very well.

The VICE PRESIDENT. Is there objection?

There being no objection, the following bills were severally read, considered, ordered to a third reading, read the third time, and passed:

A bill (H. R. 14460) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Baton Rouge, La.;

A bill (H. R. 14480) to extend the times for commencing and completing the reconstruction of a railroad bridge across the Little River at or near Morris Ferry, Ark.;

A bill (H. R. 14500) to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.;

A bill (H. R. 14584) granting the consent of Congress to the Board of County Commissioners of Allegheny County, Pa., to construct, maintain, and operate a bridge across the Allegheny River between the city of Pittsburgh and the township of O'Hara and the borough of Sharpsburg, Pa.;

A bill (H. R. 14586) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Culbertson, Mont.;

A bill (H. R. 14589) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tenth Street in Bettendorf, Iowa.;

A bill (H. R. 14601) to extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La.; and

A bill (H. R. 14602) to revive and reenact the act entitled "An act granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across Elk River between Lauderdale and Limestone Counties, Ala.," approved February 16, 1928.

REGISTRATION OF TEXTILE DESIGNS

The bill (S. 5075) to provide protection by registration of designs for textiles and other materials was announced as next in order.

Mr. KING. I ask that the bill go over.

Mr. HEBERT. Mr. President, was objection made to Senate bill 5075?

The VICE PRESIDENT. The Senator from Utah [Mr. King] objected.

Mr. KING. Mr. President, I asked that that bill go over. I think the Senator from Washington [Mr. DILL] ought to be present when it is considered. I shall have no objection to having it come up on Monday when we have a morning hour.

Mr. HEBERT. Mr. President, I think the Senator from Utah is under a misapprehension as to the attitude of the Senator from Washington toward the bill. We have had a meeting of the committee during the last two or three days, and the Senator from Washington did not indicate that he was opposed to the bill.

Mr. KING. I did not mean to state that the Senator from Washington had indicated to me opposition to this bill, but I know that at the last session of Congress, when a similar

measure was under consideration, there was objection interposed by the Senator from Washington as well as by other Senators.

Mr. HEBERT. Mr. President, the bill that was on the calendar at the last session was a very different bill from this one. In other words, it affected many activities aside from those covered by this bill.

The bill is satisfactory, I may say to the Senator, to all the manufacturers who may be affected by the measure, as well as by all the merchants who may be affected by it.

Mr. KING. May I inquire of the Senator whether this bill contains the provisions of the bill which was under consideration at a former session of Congress, under the terms of which an individual or corporation might obtain a patent or a copyright or a license or other protection for a pattern or design such as that upon the wall here, which shows a scroll with a flag set in it, and then prevent any other textile manufacturer from manufacturing cloth or textiles using the same design?

Mr. HEBERT. Mr. President, the bill provides for granting design copyrights to originators of novel designs applying to textile articles.

Mr. KING. The Senator knows, if he will pardon me, that there was great objection to a measure of that kind at the time we had the copyright bill under consideration.

Mr. HEBERT. I know there was objection at that time, but I will not admit that there was "great objection," but I may say to the Senator that there is no objection at this time, either on the part of any manufacturer or on the part of any merchant. The provisions of this bill are satisfactory to all parties who may be affected by it.

Mr. KING. Mr. President, I shall not object to the consideration of the bill, with the understanding that if, upon examination of the measure by the Senator from Washington [Mr. DILL] or by myself either of us should desire to have it reconsidered, on Monday upon application to have the bill reconsidered and placed back upon the calendar, the Senator from Rhode Island will consent.

Mr. HEBERT. I should, of course, have no objection, to that, Mr. President.

The VICE PRESIDENT. The Senator from Utah withdraws his objection. Is there objection to the present consideration of the bill?

Mr. COSTIGAN. I ask that the bill go over.

The VICE PRESIDENT. The Senator from Colorado objects.

Mr. HEBERT. May I ask, Mr. President, if there was further objection?

The VICE PRESIDENT. The Senator from Colorado objected. The Secretary will report the next bill on the calendar.

CONTRACTS FOR SALE OF TIMBER ON INDIAN LAND

The bill (H. R. 6684) to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it is in the interest of the Indians so to do was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, I think we should have an explanation of this bill. It is a rather remarkable thing to authorize the alteration of contracts after they have been made when it is in the interest of one of the parties to the contract.

Mr. KING. Let the bill go over.

Mr. ROBINSON of Arkansas. Who sponsors this bill?

The VICE PRESIDENT. The junior Senator from Oregon [Mr. STEIWER] reported the bill.

Mr. STEIWER. Mr. President—

Mr. ROBINSON of Arkansas. I was suggesting—I think the Senator from Oregon did not hear me—

Mr. STEIWER. No; I did not.

Mr. ROBINSON of Arkansas. That it is a rather a remarkable thing to do by legislation what this bill proposes to do; that is, to authorize the alteration of a contract which has been regularly made and is for the benefit of one of the parties to the contract.

Mr. STEIWER. Mr. President, I think there is some misunderstanding as to the purpose of the bill.

Mr. ROBINSON of Arkansas. I am referring to the title of the bill, which reads:

To authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it is in the interest of the Indians so to do.

I do not know how we can authorize the alteration of a contract for the benefit of one of the parties to the contract.

Mr. STEIWER. Mr. President, the Senator is quite right in that the title evidently is misleading, but the bill authorizes the modification of a contract only with the agreement of both parties to the contract.

Mr. ROBINSON of Arkansas. That is an entirely different proposition, of course.

Mr. STEIWER. It is, indeed, and I think there is no objection to the bill. The timbermen want it, the Indians want it, and the department supports it.

Mr. KING. Mr. President, some of the representatives of the Klamath Indians within the past 20 minutes have handed me a copy of the bill containing interlineations in the form of amendments, failing to accept which they are opposed to it.

May I say to the Senator that I have very grave doubts as to the wisdom of this bill? The Senator may recall that in the hearings it was demonstrated that contracts have been entered into by the Indian Bureau with timbermen under the terms of which the timbermen were given all the advantage; they were jug-handled contracts; they could be continued indefinitely by the Secretary of the Interior, and the timbermen on one reservation are now \$1,500,000 in arrears in complying with the terms of the contract. I felt when the conditions came to light that the Indians had been imposed upon. The able Senator from Connecticut [Mr. WALCOTT] denounced the contracts and stated that any white man who would accept such a contract lacks in morality, or words to that effect. I think that those contracts were unjust, and if this bill permits the Secretary of the Interior to continue them and does not compel an examination and cancellation with advantages to the Indians, then I would be very much opposed to it.

Mr. FRAZIER. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. KING. I yield.

Mr. FRAZIER. I wish to say that the changes in the contracts are to be made only with the consent of the Indians, and the amendments which were suggested by delegates from the Klamath Reservation are all included in the amendments reported by the committee to the bill. The representatives of those Indians favor the passage of the bill.

Mr. KING. I hardly think so, if the Senator will pardon me.

Mr. FRAZIER. I just talked to them when I left my office a few minutes ago. I have been in consultation with them frequently in regard to this measure.

Mr. KING. Mr. President, I will ask the Senator, then, turning to page 1, if these amendments are found in the bill that is now before us.

Strike out the word "may" and insert "is hereby authorized and directed to," and to strike out the word "tribal" in line 4. Are those amendments in the bill?

And coming to page 2, in line 11, are the words "but in no event to a point higher than was stipulated in the contract as it existed before such modification" stricken out, and is the following proviso inserted:

And provided further, That hereafter no contract of sale of Indian timber shall be entered into without the consent of the said general council.

Mr. FRAZIER. Those amendments are all embodied in the bill.

Mr. KING. May I inquire whether, beginning on page 2, the language reading as follows has been stricken out:

And should a sufficient number of Indians apply for work they shall be employed to the extent of not less than three Indians to every non-Indian engaged. Local Indians, when apply-

ing for employment, shall be given preference over outside Indians. Wages paid to Indians shall be at the same rate as that paid to other employees and in no case less than the wages paid for corresponding labor in the territory where the operation is being carried on.

Are all those words eliminated?

Mr. McNARY. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. McNARY. It was my good fortune to discuss this matter on several occasions with the representatives of the Klamath Indians. The language in italics is all responsive to the wishes of the Indians, as declared by their representatives. The language stricken out is useless if we read the earlier portion, and is thought to be impracticable. It says:

In all such modified contracts the purchasers of Indian timber on tribal lands or on restricted or trust allotments in all operations pertaining to the logging and manufacturing of said timber shall be required to give preference to the employment of Indian labor.

That is as far as the Indians thought it was practicable to go. There are times when there is plenty of Indian help, and times when they need white employment. So when preference is given, which is the language usually employed in cases of that kind, the Indians themselves have caused this language to be stricken out, because they deem it to be impracticable.

The same thing appertains to the other amendment.

Mr. KING. Mr. President, I am not sure now whether the amendments which have been suggested by the Indians who called on me within the past half-hour are embodied in the bill. My friend from North Dakota [Mr. FRAZIER] insists that they are there; so I shall not object to its consideration.

The Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments, on page 1, line 4, after the word "called" to strike out "tribal" and insert "general"; in line 5, after the word "purchasers" to strike out "may" and insert "is hereby authorized and directed to"; in line 6, after the words "terms of" to strike out "any"; in line 7, after the word "timber" to strike out "if in his judgment it is in the interest of the Indians to do so"; on page 2, line 7, after the word "Interior" to insert "with the consent of the said general council"; in line 8, after the word "authorized" to insert "and directed"; in line 11, after the word "contract," to strike out "but in no event to a point higher than was stipulated in the contract as it existed before such modification," and insert "And Provided further, That hereafter no contract of sale of Indian timber shall be entered into without the consent of the said general council"; and in line 25, after the word "labor," to strike out: ", and should a sufficient number of Indians apply for work they shall be employed to the extent of not less than three Indians to every non-Indian engaged. Local Indians, when applying for employment, shall be given preference over outside Indians. Wages paid to Indians shall be at the same rate as that paid to other employees and in no case less than the wages paid for corresponding labor in the territory where the operation is being carried on"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior, with the consent of the Indians involved, expressed through a regularly called general council, and of the purchasers, is hereby authorized and directed to modify the terms of now existing and uncompleted contract of sale of Indian tribal timber: Provided, That the prices are not reduced below the basic sale prices: Provided further, That any such modifications shall be upon the express condition that said purchaser shall forthwith proceed to operate under all the terms of said contract as modified or suffer forfeiture of such contract and collection upon his bond: And provided further, That any modification of said contracts shall stipulate that in the event of sufficiently improved economic conditions the Secretary of the Interior with the consent of the said general council is authorized and directed after consultation with the purchasers and the Indians involved and after 90 days' notice to them, to increase stumpage prices of timber reduced in any such modified contract: And provided further, That hereafter no contract of sale of Indian timber shall be entered into without the consent of the said general council.

Sec. 2. The Secretary of the Interior may modify existing contracts between individual Indian allottees or their heirs and purchasers of their timber, under the terms and requirements of section 1 of this act, with the consent of the allottee or his heirs.

Sec. 3. In all such modified contracts the purchasers of Indian timber on tribal lands or on restricted or trust allotments in all operations pertaining to the logging and manufacturing of said timber shall be required to give preference to the employment of Indian labor.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. STEIWER subsequently said: Mr. President, for the purpose of correcting an obvious clerical error in the bill, I ask unanimous consent for the reconsideration of the vote by which we passed the bill (H. R. 6684) to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it is in the interest of the Indians so to do, being Calendar No. 1387. I do this merely in order that I may suggest a change of a word from the singular to the plural.

The PRESIDING OFFICER. Without objection, the vote by which the bill was passed will be reconsidered.

The bill is before the Senate for amendment.

Mr. STEIWER. In line 7, page 1, I find that the word "contract" is in the singular. It is agreed by all who have examined it that it ought to be in the plural. I offer that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, line 7, after the word "uncompleted," strike out the word "contract" and insert the word "contracts."

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

CHIPPEWA INDIANS OF MINNESOTA

The bill (S. 5626) to amend the act of June 23, 1926, reserving Rice Lake and contiguous lands for the Chippewa Indians of Minnesota, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the act of June 23, 1926 (44 Stat. 763), entitled "An act setting aside Rice Lake and contiguous lands in Minnesota for the exclusive use and benefit of the Chippewa Indians of Minnesota," be, and the same is hereby, amended to read as follows:

"All unallotted and undisposed-of lands within the area described in section 1 hereof, are hereby permanently withdrawn from sale or other disposition and are made a part of said reserve, and the Secretary of the Interior is authorized to acquire by purchase any lands within said area at a price of not to exceed \$5 per acre, and to acquire by condemnation proceedings, in accordance with the laws of the State of Minnesota relating to the condemnation of private property for public use, such of said lands as can not be acquired by purchase at the price named, whether in private ownership or owned by the State of Minnesota; the purchase price and costs of acquiring said lands to be paid out of the trust fund standing to the credit of all of the Chippewa Indians of Minnesota in the Treasury of the United States upon warrants drawn by the Secretary of the Interior."

POST OFFICE BUILDING, LAS VEGAS, NEV.

The Senate proceeded to consider the bill (S. 5362) authorizing the Secretary of the Treasury to pay certain subcontractors for material and labor furnished in the construction of the post office at Las Vegas, Nev., which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to subcontractors, labor, and material men who furnish labor and material to the Plains Construction Co., defaulted general contractor for the construction of the post office at Las Vegas, Nev., such sums as he may consider equitable and just to reimburse said subcontractors, labor, and material men for unpaid accounts left by said Plains Construction Co. at the time of its default, said sums to be paid only upon proper proof of actual losses sustained exclusive of profit; and there is hereby made available for this purpose not to exceed \$20,000 from any sum which may remain from the lump-sum appropriations made for building-construction purposes, notwithstanding the amount of the claims of said subcontractors in addition to the cost of completing the building exceed the limit of cost for the construction of the Las Vegas Post Office.

Mr. KING. Mr. President, I should like to have an explanation of that bill.

Mr. ODDIE. Mr. President, this is a matter that I have already discussed on the floor of the Senate.

The contract for a Federal building in Las Vegas, Nev., was let by the department over two years ago. The contractor was from the State of Texas. Apparently his bond was adequate. He had three bondsmen. The contractor failed without having paid for much of the materials furnished for the building, and without having paid a great deal of the labor.

Afterward it was ascertained that the contractor had forged the names of the bondsmen on the bond, and there was, therefore, no bond. It is obvious that these men who furnished materials and the men who performed the labor have not been paid. For practically two years they have been kept out of the money that is due them. The mistake was made because of the negligence of the department in not looking into the question of the validity of this bond and the proper details in connection with the signing of it.

The only way in which this injustice can be corrected is by the passage of this bill. The Treasury Department has approved it; the Public Buildings and Grounds Committee of the Senate has approved it; and it is a very valid and necessary piece of legislation in order to correct the injustice that has been done to the labor and material men, to whom this money has been due for practically two years.

Mr. KING. Mr. President, will the Senator yield?

Mr. ODDIE. I yield.

Mr. KING. Did the Government of the United States pay the entire contract price to the contractor who defaulted?

Mr. ODDIE. Oh, no; just a portion of the money was paid. The building is not yet completed. This is to pay for the work that was done that was not paid for. The labor felt that the Government had shown good faith in making this contract and in authorizing the performance of this work. They believed they would be paid for it. It is a question involving the good faith of the Government. The Government must keep faith with these men who relied on it, and the money due them must be paid.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FEDERAL BUILDING SITE, MAXWELL, NEBR.

The bill (H. R. 10749) to authorize acceptance of proposed donation of property in Maxwell, Nebr., for Federal building purposes was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to accept on behalf of the United States the donation by Mr. C. J. Israel of his property in Maxwell, Nebr., for Federal building purposes; being a cross section of lots Nos. 1, 2, 3, and 4, block 22, original town, facing east on Pine Street and having dimensions of 26 by 96 feet, together with the 1-story bank building now located thereon; that said property shall be used and operated as are other public buildings, and that the annual appropriations for the general maintenance of public buildings under the control of the Treasury Department shall be construed to be available for use in connection with said property as for other buildings under said department; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to be used for the purpose of altering, repairing, and reconditioning said building to make same available for use as a post office.

BILL PASSED OVER

The bill (H. R. 13521) to transfer control of building No. 2 on the customhouse reservation at Nome, Alaska, to the Secretary of the Interior, was announced as next in order.

Mr. KING. Mr. President, I do not see the Senator from New Hampshire [Mr. KEYES], who reported this bill. I have had some letters from Alaska protesting against the extravagance of the Treasury Department in erecting two public buildings there at a cost greatly in excess of what would be justified, and protesting, indeed, against the construction of one of the buildings. If this bill is in the interest of the execution of the plan of the Treasury Department against which protests have come to me, I shall object to its consideration.

Let the bill go over.

The PRESIDING OFFICER (Mr. FESS in the chair). Objection being made, the bill will be passed over.

PUBLIC-BUILDING SITE, HUNTSVILLE, ALA.

The bill (H. R. 14321) to authorize the Secretary of the Treasury, in his discretion, to acquire a new site in Huntsville, Ala., and to construct a building thereon for the accommodation of the courts, post office, and other Government offices, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to acquire a new site in Huntsville, Ala., and to construct a building thereon for the accommodation of the courts, post office, and other Government offices, at a cost not to exceed the sum of \$234,000, in lieu of the acquisition of additional land, demolition of building, and construction of a new building within said limit of cost fixed under authority of the act approved July 21, 1932, as modified by the act approved June 30, 1932.

FEDERAL BUILDING, MANGUM, OKLA.

The bill (H. R. 14439) relating to the construction of a Federal building at Mangum, Okla., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the construction of the Federal building at Mangum, Okla., authorized by the act of February 16, 1931 (Doc. No. 788, 71st Cong.), the Secretary of the Treasury is hereby authorized to provide facilities for the holding of terms of the District Court for the Western District of Oklahoma.

FORT PECK IRRIGATION PROJECT, MONTANA

The Senate proceeded to consider the bill (S. 4960) to reduce the area of the Fort Peck irrigation project in the State of Montana, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and to insert:

That the Secretary of the Interior is authorized and directed to redesignate such lands in the Fort Peck irrigation project in the State of Montana as can, in his opinion, be successfully irrigated with the existing equipment on such project. Such lands shall comprise, as nearly as practicable, not over 3,000 acres, 4,000 acres, 5,395 acres, and 2,412 acres, respectively, in those parts of the project known as the Big Muddy unit, Poplar River unit, the Big Porcupine unit, and the Little Porcupine unit.

SEC. 2. No obligation shall be assumed by the United States for the irrigation of any land not so designated, and no irrigation charges shall be imposed in respect of such land.

SEC. 3. The Secretary of the Interior is hereby authorized to cause to be made an investigation for the determination of the probable damages that may result to owners of land that will be eliminated from the irrigation project by reason of the provisions of this act and to make his recommendations thereon to Congress on or before the first Monday in December, 1933.

SEC. 4. Upon the passage of this act the Secretary of the Interior—

(a) Shall abandon all efforts to irrigate such lands so designated;

(b) Shall release the landowners of such lands from all charges on account of such land in connection with the Fort Peck irrigation project;

(c) May lease or sell, on such terms and conditions as he deems proper, any land, works, or equipment, or any right or interest therein, within such project, not needed for the irrigation of the designated lands, and shall cover the proceeds of any such sale or lease into the Treasury as miscellaneous receipts;

(d) Shall release, subject to the conditions and limitations hereinafter provided, all owners of such designated lands from all charges in respect of such lands, on account of the construction of such project, except an amount equal to \$10 per acre within the Big Muddy unit, \$28 per acre for lands within the Poplar River unit, \$30 per acre for lands within the Big Porcupine unit, and \$20 per acre for lands within the Little Porcupine unit, less the amount of any payments already made on account of such charges: *Provided*, That before the benefits of this provision are extended to non-Indian owned lands in the designated area the owners shall enter into contracts with the Government to repay construction costs as herein fixed and the annual operation and maintenance expenses; and

(e) Shall fix like charges, subject to like conditions and limitations, and subject to the provisions of the act of July 1, 1932 (47 Stat. 564), for all such designated lands on which he may thereafter issue fee patents.

SEC. 5. The charges herein provided for against non-Indian owned lands shall be payable under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 6. The Secretary of the Interior is authorized and directed to make such rules and regulations as may be necessary and proper for carrying out the provisions of this act.

Mr. KING. Mr. President, I should like to ask the Senator from North Dakota [Mr. FRAZIER] if this bill is in pursuance of the plan of the present Commissioner of Indian Affairs to readjust many of these so-called reclamation projects upon Indian reservations. As the Senator knows, more than \$50,000,000 have been appropriated for reclamation projects upon Indian reservations; \$36,000,000 are still further to be expended, and the Indians are not the beneficiaries, but the whites.

Mr. FRAZIER. Mr. President, this is a bill that the junior Senator from Montana [Mr. WHEELER] introduced. The department recommended striking out the original language of the bill and rewriting it. The claim is that it will help the Indians. It reduces the amount of land under the project and takes out some, as I understand, that is not good land and is not worth the irrigation. The Senator from Montana seemed to think it would be a good thing for that reservation.

Mr. KING. Is not one of the objects of it to relieve the white settlers from paying the obligations due upon the land for the water?

Mr. FRAZIER. No; I do not think that is the case at all.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WHITE EARTH INDIAN RESERVATION, MINN.

The Senate proceeded to consider the bill (S. 5485) establishing a State game refuge on islands in the Egg Lakes in the White Earth Indian Reservation in the State of Minnesota, which had been reported from the Committee on Indian Affairs with amendments, on page 1, line 4, after the figures "16," to insert "township 141," and on page 2, line 6, after "1927," to insert "Provided, That in the event the islands hereby transferred to the State of Minnesota are no longer used for said State game refuge purposes they shall automatically revert to their former status of Indian lands," so as to make the bill read:

Be it enacted, etc., That the islands in the Egg Lakes, in sections 9, 10, 14, 15, and 16, township 141 north, range 39 west, fifth meridian, in the White Earth Indian Reservation in the State of Minnesota, are hereby reserved from allotment and set aside for the protection of game animals, birds, and fish, and are hereby granted to the State of Minnesota; conditioned, however, that such islands, together with all lands abutting on three of said lakes located in sections 9, 14, and 16 and the west half of section 15 shall, within two years from the passage and approval of this act, with the consent of the owner or owners of such abutting lands, be established as a State game refuge, as provided in section 5610 of Mason's Minnesota Statutes of 1927: *Provided, That in the event the islands hereby transferred to the State of Minnesota are no longer used for said State game refuge purposes they shall automatically revert to their former status of Indian lands.*

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DELEGATION OF POWERS BY INTERSTATE COMMERCE COMMISSION

The Senate proceeded to consider the bill (H. R. 7432) to authorize the Interstate Commerce Commission to delegate certain of its powers, which was read, as follows:

Be it enacted, etc., That section 17 of the interstate commerce act, as amended (U. S. C., title 49, sec. 17), is amended by adding at the end thereof a new paragraph to read as follows:

"(6) The commission is hereby authorized by its order to assign or refer any portion of its work, business, or functions arising under this or any other act of Congress or referred to it by Congress, or either branch thereof, to an individual commissioner, or to a board composed of an employee or employees of the commission, to be designated by such order, for action thereon, and by its order at any time to amend, modify, supplement, or rescind any such assignment or reference: *Provided, however, That this authority shall not extend to investigations instituted upon the commission's own motion nor, without the consent of the parties thereto, to contested proceedings involving the taking of testimony at public hearings. All such orders shall take effect forthwith and remain in effect until otherwise ordered by the commission. In case of the absence or inability for any other reason to act of any such individual commissioner or employee designated to serve upon any such board, the chairman of the commission may designate another commissioner or employee, as the case may be, to serve temporarily until the commission shall*

otherwise order. In conformity with and subject to the order or orders of the commission in the premises, any such individual commissioner, or board acting by a majority thereof, shall have power and authority to hear and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned or referred to him or it for action by the commission and in respect thereof shall have all the jurisdiction and powers now or then conferred by law upon the commission and be subject to the same duties and obligations. Any order, decision, or report made or other action taken by any such individual commissioner or board in respect of any matters so assigned or referred shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made or taken by the commission. Any party affected by any order, decision, or report of any such individual commissioner or board may file a petition for reconsideration or for rehearing by the commission or a division thereof and every such petition shall be passed upon by the commission or a division thereof. Any action by a division upon such a petition shall itself be subject to reconsideration by the commission, as provided in section 16a of this act (U. S. C., title 49, sec. 16a), and in paragraph (4) of this section. The commission may, as provided in paragraph (1) of this section, make and amend rules for the conduct of proceedings before such individual commissioner or board and for the rehearing of such action before a division of the commission or the commission. The secretary and seal of the commission shall be the secretary and seal of such individual commissioner or board."

Mr. ROBINSON of Arkansas. Mr. President, I trust the Senator from Michigan [Mr. COUZENS], who is present, will make an explanation of this bill.

Mr. COUZENS. Mr. President, this bill was given very careful consideration by the House Committee on Interstate and Foreign Commerce. Quite extensive hearings were held, and it was passed unanimously. The bill came to the Senate and went to the Interstate Commerce Committee, where we had Commissioner Eastman before us.

I draw attention to paragraph (6), which, in the initial language, seems rather broad. It says:

The commission is hereby authorized by its order to assign or refer any portion of its work, business, or functions arising under this or any other act of Congress or referred to it by Congress, or either branch thereof, to an individual commissioner, or to a board composed of an employee or employees of the commission, to be designated by such order, for action thereon, and by its order at any time to amend, modify, supplement, or rescind any such assignment or reference.

Now I draw attention to the limitations:

Provided, however, That this authority shall not extend to investigations instituted upon the commission's own motion nor, without the consent of the parties thereto—

And I think that is the important part—

to contested proceedings involving the taking of testimony at public hearings. All such orders shall take effect forthwith and remain in effect until otherwise ordered by the commission.

The purpose of this is to assign to employees many of the details that now occupy the time of the Interstate Commerce Commission; such, for instance, as an overcharge claim by a shipper, where a trained employee of the commission is much more familiar with the details than any individual commissioner. I could go on and recite many of the details which can be assigned if this bill is enacted into law.

There is no objection to the bill from any source that we can find, either the practitioners before the commission, the commissioners themselves, the railroads, or anyone else. In other words, the bill proposes a very great simplification of the proceedings now conducted before the commission.

Mr. ROBINSON of Arkansas. I shall not object, Mr. President.

The bill was ordered to a third reading, read the third time, and passed.

NORTH CAROLINA SENATORIAL CONTEST

The Senate proceeded to consider the resolution (S. Res. 346) to pay certain expenses incurred in connection with the so-called Pritchard-Bailey contested election case from North Carolina, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate, with amendments.

The first amendment was on page 1, line 1, after the words "sum of", to strike out "\$500" and insert "\$250", so as to read:

Resolved, That the sum of \$250 be paid to the treasurer of the State of North Carolina.

Mr. BAILEY. Mr. President, I do not want to interpose an objection to the action of the committee; but I do think the figure "\$250" in line 1 should be "\$500." The State of North Carolina paid \$500 to counsel for the treasurer, who attended three actions in three separate courts. As a matter of dignity of the State and of the Senate, I think that if we pay anything on that account we should pay the \$500.

Mr. ROBINSON of Arkansas. Mr. President, I inquire if the resolution as the committee proposes to amend it is satisfactory to the Senator from North Carolina.

Mr. BAILEY. With the exception of the \$250 proposed to be paid to the State of North Carolina; but I will accept that rather than delay the conclusion of this matter. I am not going to offer an amendment, although if some other Senator does I will support it; but the balance of the resolution is satisfactory.

Mr. KING. Mr. President, I have a great deal of sympathy with the position taken by the Senator from North Carolina. Being the ranking member upon the committee, I have given considerable attention to this matter.

Mr. BULKLEY. Mr. President, it seems clear to me that either the State of North Carolina ought to be reimbursed or it should not be reimbursed. I think it should be reimbursed. But I do not see any reason why we should quibble with the State of North Carolina over \$250. I hope the amendment will be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment of the committee was on line 3, to strike out "\$3,000" and to insert in lieu thereof "\$1,500."

The amendment was agreed to.

The next amendment was on line 4, to strike out "\$8,000" and to insert in lieu thereof "\$4,000."

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the resolution, as amended.

The resolution, as amended, was agreed to, as follows:

Resolved, That the sum of \$500 be paid to the treasurer of the State of North Carolina; that the sum of \$1,500 be paid to Hon. Josiah W. Bailey, the sitting senior Senator from North Carolina; and that \$4,000 be paid to Hon. George M. Pritchard, of Asheville, N. C.; all of said sums to be paid from the contingent fund of the Senate and in full settlement of expenses incurred in the contested case affecting the seat of the senior Senator from North Carolina.

INVESTIGATION OF AIR MAIL AND OCEAN MAIL CONTRACTS

The Senate proceeded to consider the resolution (S. Res. 349) creating a special committee of the Senate to investigate air mail and ocean mail contracts, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment on page 3, line 6, to strike out "\$10,000" and insert in lieu thereof "\$5,000," so as to make the resolution read:

Resolved, That a special committee of the Senate, to be appointed by the President of the Senate, three from the majority political party and two from the minority political party, is authorized and directed to investigate and make a full, complete, and detailed inquiry into all existing contracts entered into by the Postmaster General for the carriage of air mail and ocean mail, both foreign and domestic, with a view to determining particularly (1) all the circumstances surrounding the execution and continuation of, and the necessity, if any, of maintaining, altering, or canceling such contracts; (2) the organization and financial condition of the associations, partnerships, or corporations with which such contracts have been entered into, including a study of their capital stock, authorized and paid in, their receipts and expenditures, their total outlay in salaries paid to officers, executives, and employees, whether by way of bonus or otherwise, and their relationship, whether by interlocking directorates or otherwise, with any other individual, association, public official, partnership, or corporation, commercial or banking; (3) the extent of any activities by or on behalf of any association, partnership, or corporation with which such contracts have been entered into, in any effort to obtain, through legislation or otherwise, cash subsidies from the United States; and (4) any other facts relating to legislation or appropriations affecting air mail and ocean mail contracts, both foreign and domestic. The committee shall report to the Senate, as soon as practicable, the results of its investigations, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hear-

ings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-second and succeeding Congresses, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The amendment was agreed to.

Mr. ROBINSON of Arkansas. Mr. President, I propose an amendment, on line 2, after the word "Senate," to strike out all down to and including the word "party" in line 4, and I will make just a brief explanation of the amendment.

The resolution as drafted by the Senator from Alabama, requires the President of the Senate to appoint three Members from the majority and two from the minority. We all know that within about a week the majority in the Senate will change, and for that reason I do not wish to have the Chair bound to appoint a majority from the other side of the Chamber. I think he should and will appoint a majority from this side of the Chamber, in view of the fact that those in control of the Government will change in such a short time.

Mr. REED. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I yield.

Mr. REED. I was about to suggest an amendment with the same thought in mind, but to accomplish the result in a different way. I was about to propose that after the word "Senate," in line 2, we insert the words "after March 4, 1933."

Mr. ROBINSON of Arkansas. Mr. President, I would prefer, and I think the Senator from Alabama would prefer to leave the Chair at liberty to make the appointments now, so that the investigation might proceed, if the resolution is agreed to, at as early a date as possible.

Mr. REED. There would be a difference of only one week, and it seems to me that, since the investigation can not be concluded within that week, it is better that the appointments be made by the new Vice President.

Mr. ROBINSON of Arkansas. It is true that the investigation not only could not be completed within a week, but no doubt will not be started within that time.

Mr. President, I will accept the amendment of the Senator from Pennsylvania, so far as I am authorized to accept any amendment, if the Senator from Alabama will consent, in lieu of my own amendment. I withdraw my amendment and ask consideration of the amendment proposed by the Senator from Pennsylvania.

The PRESIDING OFFICER. The clerk will state the amendment proposed by the Senator from Pennsylvania.

The CHIEF CLERK. The Senator from Pennsylvania offers the following amendment, on page 1, line 2, after the word "Senate" and the comma, to insert the words "after March 4, 1933."

The amendment was agreed to.

Mr. BINGHAM. Mr. President, I shall not utilize my prerogative of objecting to this resolution, although I do not think there is any necessity for its adoption.

I desire, however, if I may have the attention of the Senate, to call attention to the fact that, in a time when economy is needed and urged, and little people are having amounts of money taken away from them, we are spending thousands and thousands of dollars in investigating the air mail. It has been a favorite indoor and outdoor sport of the Congress for some time.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield.

Mr. ROBINSON of Arkansas. The Senator speaks of this investigation as a great charge on the Treasury of the United States.

Mr. BINGHAM. No, Mr. President, I have not referred to the pending investigation, but to preceding investigations.

Mr. ROBINSON of Arkansas. I thought the Senator was speaking of the pending resolution.

Mr. BINGHAM. It has been a favorite indoor and outdoor sport of the Congress for the past 15 or 16 years to investigate aviation. When the President appointed the Morrow board some five or six years ago, we learned that within the nine years preceding that there had been nine investigations. One House committee alone had published a small shelfful of volumes as a result of their investigation.

After the Morrow board's report, for the next few years aviation went along fairly well, and there were very few investigations. But the urge to investigate started in again a few years ago, and last year, or perhaps a little more than a year ago, we passed Senate Resolution 53, calling upon the Postmaster General to give us information regarding the air mail contracts. He and his associates spent several months in preparing a report in accordance with the resolution, the report was printed at the expense of the taxpayers of the United States in a volume of 1,256 pages, and I am informed by the Government Printing Office that it cost \$8,693 just to print that report with regard to the air mail. We do not know how many thousands of dollars it cost the Post Office Department to prepare the material.

Last spring the House of Representatives decided that the air mail needed an investigation, and in March, 1932, they spent five or six thousand dollars and printed a document of 200 pages as a result of their investigation with regard to the air mail.

Not satisfied with that, they got another resolution through in June, 1932, House Resolution 226, asking all kinds of information about contracts, the prices paid, and so forth, very much in line with the resolution we are now asked to pass, and appropriated \$5,000 for the investigation, employing an expert. Their report has recently been printed.

During the hearings on the Treasury and Post Office appropriation bill nearly 1,000 pages of testimony was taken regarding the air mail and the ocean mail, printed at a cost of about \$5,000, and now we are asked to spend \$5,000 more investigating this already overinvestigated subject.

It may be that the Senate wants to do it. It may be that the air mail is in such bad condition and that the contracts are so bad that they need investigation. I do not intend to object to the passage of the resolution, but I would like to have a vote upon it, after the Senate understands that we have already spent about eighteen or twenty thousand dollars in the last year and a half in investigating the air mail; and if the Senate wants to spend another \$5,000 investigating it, I have no objection, except that I shall vote against it.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

MATILDA A. BARKLEY

The resolution (S. Res. 366) to pay to Matilda A. Barkley a sum equal to six months' compensation of the late Joshua W. Barkley was read, considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1932, to Matilda A. Barkley, widow of Joshua W. Barkley, late a laborer in the employ of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CHANGES IN THE NAVY RATION

The Senate proceeded to consider the bill (S. 5675) to effect needed changes in the Navy ration, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That sections 1580 and 1581, Revised Statutes, as amended by the act of June 29, 1906, and the act of March 2, 1907 (34 Stat. 570, 571, 1193; U. S. C., title 34, secs. 902, 903, 906), are hereby repealed.

The Navy ration issued to each person entitled thereto shall consist of the following daily allowance of provisions: 8 ounces of biscuit or 12 ounces of soft bread or 12 ounces of flour; 12 ounces of preserved meat or 14 ounces of salt or smoked meat or 20 ounces of fresh meat or fresh fish or poultry; 12 ounces

of dried vegetables or 18 ounces of canned vegetables or 44 ounces of fresh vegetables; 4 ounces of dried fruit or 10 ounces of canned fruit or 6 ounces of preserved fruit or 16 ounces of fresh fruit; 2 ounces of cocoa or 2 ounces of coffee or half ounce of tea; 4 ounces of evaporated milk or 1 ounce of powdered milk or half pint of fresh milk, together with 1½ ounces of butter, 1½ ounces of cereals or rice or starch foods, half ounce of cheese, 1½ eggs, 1½ ounces of lard or lard substitute, two-fifths of a gill of oils or sauces or vinegar, 5 ounces of sugar and such quantities of baking powder and soda, flavoring extracts, mustard, pepper, pickles, salt, sirup, spices, and yeast as required.

SEC. 2. Any article comprised in the Navy ration may be issued in excess of the authorized quantity: *Provided*, That there be an underissue of the same value in some other article or articles.

SEC. 3. The Secretary of the Navy is authorized to increase the above-stated allowances on those vessels and stations having an allowed complement of less than 150 men and subsisting on a ration allowance, when, in his opinion, such vessels and stations are operating under conditions which warrant such increases.

SEC. 4. The Secretary of the Navy is authorized to fix the limit of the cost of rations on destroyers, submarines, mine sweepers, tugs, aircraft, and other vessels and stations subsisted under the direction of commanding officers.

LOANS OF CONDEMNED PROPERTY

The Senate proceeded to consider the bill (H. R. 13026) to amend section 546, title 34, U. S. C., which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That chapter 231 of the act of May 22, 1896 (29 Stat. 133, sec. 546, title 34, U. S. C.), be, and the same is hereby, amended to read as follows:

"SEC. 546. Loan or gift of condemned or obsolete property: The Secretary of the Navy is hereby authorized, in his discretion, to lend or give to soldiers' monument associations, posts of the Grand Army of the Republic, posts of the American Legion, and other recognized war-veteran associations, State museums, and incorporated museums operated and maintained for educational purpose only, whose charter denies them the right to operate for profit, and municipal corporations condemned or obsolete ordnance, guns, projectiles, books, manuscripts, works of art, drawings, plans, models, and other condemned or obsolete material which may not be needed in the service of the Navy Department. Such loan or gift shall be made subject to rules and regulations covering the same, and the Government shall be at no expense in connection with any such loan or gift."

BERYL M. McHAM

The Senate proceeded to consider the bill (H. R. 10070) for the relief of Beryl M. McHam, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 9, after the numerals "1920" to insert the words, "*Provided*, That no pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Beryl M. McHam, who served in Company C, Twenty-sixth Regiment, and Company C, Eighth Regiment, United States Infantry, World War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 7th day of July, 1920: *Provided*, That no pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

Mr. LOGAN. Mr. President, on yesterday the Committee on Military Affairs authorized me to report three bills for the calendar. Through neglect on my part I did not report them in time to have them printed on the calendar to-day, and I ask unanimous consent that they be considered immediately following the last bill on the calendar.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered. The question is, Shall the amendment of House bill 10070 be engrossed and the bill be read a third time?

Mr. KING. Let the bill go over.

Mr. REED. Mr. President, will the Senator withhold his objection a moment?

Mr. KING. I will.

Mr. REED. This is one of the most extraordinary cases that has come before the Committee on Military Affairs for a long time.

Mr. President, a man enlisted in the Army one week before we entered the World War in 1917. He was among the first enlisted men to go abroad. He was assigned to the First Division. He was in every major offensive the American Army fought. He was very severely wounded in several

places. He was put on the most perilous of duty. He served in raiding squads. I remember that at one time he and 11 other Americans went over and captured 29 Germans in a surprise raid. He was put into isolated posts, far in front, charged with throwing hand grenades into German trenches close before him. This man was given a citation for distinguished gallantry in action. He had as fine a fighting record as any soldier in the Army.

After the armistice, when he had recovered from his wounds, he volunteered to go forward in the Army of Occupation, and was assigned to the Twenty-sixth Division. That division at that time was largely made up of men who had not seen any fighting, but had been sent abroad to fill up outfits as replacements, after the armistice. Those new soldiers did not know McHam, and he did not know them.

It was supposed that he was probably a recent replacement who had not seen any service. Like a number of other mistaken young men, he did not behave himself very well in Coblenz. One night in September, 1919, he got drunk with two or three others and got into a fist fight and seems to have done some very courageous battling in that affair. He was charged with having beaten up three other American soldiers. He was arrested and tried by general court-martial. On the advice of his counsel, an Army officer, he stood mute and made no defense. I think his counsel ought to have been dishonorably discharged for giving him such advice. The sentence was 15 months at hard labor and dishonorable discharge. He took it and was dishonorably discharged. In some way he got himself back into the Army on a new enlistment from which he deserted at Fort Hamilton, N. Y., some six months afterwards.

The committee have always firmly taken the position that we would not pardon desertion except in cases where the soldier had a good record in actual combat with the enemy. This is such an outstanding case of good service that the committee did not hesitate, but were unanimous in reporting the bill favorably. I hope it may be favorably considered.

Mr. KING. I have no objection.

The PRESIDING OFFICER. Is there objection?

Mr. WALSH of Massachusetts. Mr. President, reserving the right to object, within five minutes a Senator on this floor has spoken to me about reporting favorably from the Committee on Naval Affairs a bill removing a dishonorable record from an enlisted naval man who was given an undesirable discharge during the war period—not a dishonorable discharge, but an undesirable discharge—and whose record offenses were shooting craps and being absent for a few days. I could not consent. I do not know when and where and how we can draw the line once we lift the ban on dishonorable discharges when they are inflicted during the period of war. The purpose of the legislation is to give World War benefits to these soldiers with dishonorable records. If we raise the ban for this man, who undoubtedly has rendered brave and conspicuous war service but nevertheless has a dishonorable discharge, I do not know where and when and how we are going to draw the line. I have insisted in the Committee on Naval Affairs, before which committee are hundreds of cases, that if a man goes through a war with an honorable record and later enlists and gets drunk and is dishonorably discharged, I will help to lift the dishonorable discharge so that he will not be deprived of his war-service benefits, but he must come with clean hands, an honorable war-period record, in order for him to get the benefits that are given an honorably discharged war veteran. On that account I regret to say I must object. I object to dishonorably discharged veterans' being added to the pension rolls when we are advocating reducing the pensions and compensations of honorably discharged veterans.

The PRESIDING OFFICER. Objection is made, and the bill goes over.

WILLIAM MATHEW SQUIRES

The bill (H. R. 2601) for the relief of William Mathew Squires was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Mathew Squires, late of Company C, Third Regiment Texas Volunteer Infantry, war with Spain, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 16th day of July, 1898, and notwithstanding any provisions to the contrary in the act relating to pensions approved April 26, 1898, as amended by the act approved May 11, 1908: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

PRICE HUFF

The bill (H. R. 11035) for the relief of Price Huff, was considered. The bill had been reported from the Committee on Military Affairs with an amendment on page 1, line 9, after the word "no" to strike out:

bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act: *Provided further*, That if the said Huff shall within 12 months after the enactment of this act file with the Veterans' Administration a claim for adjusted-service compensation under the provisions of the World War veterans' act of 1924, as amended, then and in that event nothing in this act contained shall be construed to prevent said veteran from being allowed his adjusted-service certificate, if he be found otherwise entitled thereto;

And to insert in lieu thereof "back pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act."

The amendment was agreed to.

Mr. REED. Mr. President, I want to propose a further amendment. On page 1, line 7, strike out the words "discharged under honorable conditions" and insert the words "honorably discharged."

The PRESIDING OFFICER. The amendment will be stated.

The amendment was, on page 1, line 7, to strike out the words "discharged under honorable conditions" and insert "honorably discharged," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Price Huff, who was a member of the Chemical Warfare Service, United States Army, shall be held and considered to have been honorably discharged from the military service of the United States as a member of that service on the 6th day of February, 1920: *Provided*, That no back pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

SALE OF GOVERNMENT PROPERTY, ST. LOUIS, MO.

The bill (S. 5660) authorizing the Secretary of the Treasury to sell certain Government property in St. Louis, Mo., was considered.

Mr. McKELLAR. Mr. President, this is a very bad time to sell property. May we have some explanation of the bill?

Mr. CLARK. Mr. President, the facts are that the bill authorizes the Secretary of the Treasury to sell what is known as the old customhouse in St. Louis. The price is to be fixed by the Secretary of the Treasury. The old customhouse is a very old building no longer suitable for the uses of the Government. A new building to house the customs service and other governmental activities is already under contract. The city of St. Louis contemplates the creation of a north and south boulevard and wishes to make arrangements at this time. The bill provides that the Government shall be permitted to occupy the old customhouse free of rent until such time as the new building shall have been completed.

Mr. McKELLAR. I have no objection.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered, in his discretion, to sell to the city of St. Louis, Mo., the appraisers' stores site and building at Third and Olive Streets in the said city at fair market value at such time and upon such terms and conditions as he may deem to be to the best interests of the United States, and to

convey such property to the city of St. Louis by usual quitclaim deed: *Provided*, That the site and building shall remain in the custody and control of the United States and shall be occupied by the United States without payment of rent until such time as the new Federal building at St. Louis, in which the present Government activities in the appraisers' stores building are to be housed, is completed and occupied and the present appraisers' stores site and building are no longer required for any of the activities of the United States Government: *And provided further*, That the proceeds of such sale shall be deposited in the Treasury as miscellaneous receipts in accordance with the provisions of section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926.

ALEXANDER F. SAWHILL

The bill (H. R. 6270) for the relief of Alexander F. Sawhill, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Alexander F. Sawhill, who was a member of Company C, Tenth Regiment Pennsylvania Reserves; Thirty-ninth Regiment Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 7th day of December, 1863: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

ACQUISITION OF LAND, CAMP BULLIS, TEX.

The bill (H. R. 12769) to provide an additional authorization for the acquisition of land in the vicinity of Camp Bullis, Tex., was considered.

Mr. KING. Mr. President, I would like to inquire whether the original appropriation was not sufficient?

Mr. REED. Mr. President, it was not sufficient. It was \$15,000. We tried to get the land by private negotiation and that proved to be impossible. Thereupon condemnation proceedings were started and the judgment price fixed in those proceedings was \$21,300. At present we find ourselves in this situation. Interest at 6 per cent is running on the \$21,000 judgment and at the same time we are paying a rental of about \$100 a month for the same property. We are paying twice for the same property and we want to terminate that double liability.

Mr. KING. I have no objection.

The bill was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in addition to the sum of \$15,000 authorized by the act of January 12, 1929, to be appropriated for the acquisition by the Secretary of War in the vicinity of and for use in connection with the present military reservation at Camp Bullis, Tex., and which was appropriated in the War Department appropriation act for the fiscal year 1931, there is authorized to be appropriated for the same purpose, to meet the judgment in condemnation proceedings, an additional sum of not to exceed \$6,400, together with such amount as may be necessary to pay interest.

WATER FOR FIRE-FIGHTING PURPOSES ADJACENT TO DISTRICT OF COLUMBIA

The bill (S. 1001) to authorize the Chief of Engineers of the Army to enter into agreements with local governments adjacent to the District of Columbia for the use of water for purposes of fire fighting only was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Chief of Engineers of the Army is hereby authorized to formulate regulations and enter into agreements with county or other local governments in communities adjacent to the District of Columbia for the use of water from unmetered mains or conduits for emergency purposes in fire fighting only.

JERRY V. CRANE

The bill (H. R. 5367) for the relief of Jerry V. Crane was considered.

Mr. McKELLAR. Mr. President, let us have the bill read.

The bill was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Jerry V. Crane, who was a member of Company K, Thirty-seventh Regiment Kentucky Volunteer Mounted Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private

of that organization on the 5th day of March, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. KING. Mr. President, I can not believe that any soldier from Kentucky ever deserted, so I ask the Senator from Kentucky to make an explanation.

Mr. LOGAN. Mr. President, it has been so long ago that I do not say with definiteness, but the man was reported to have deserted and was reported to have died in a hospital. I do not know which is correct. However, he is 84 or 85 years old; the House passed the bill with approval, and the Senate Committee on Military Affairs has approved it.

Mr. KING. Is the Senator sure the ex-soldier is not dead?

Mr. LOGAN. No; I am not sure. He was about dead the last I heard.

There being no objection, the bill was ordered to a third reading, read the third time, and passed.

STUART L. RITZ

The bill (H. R. 7167) for the relief of Stuart L. Ritz was announced as next in order, and was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Stuart L. Ritz, late of Company L, Second Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 22d day of April, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. WALSH of Massachusetts. Mr. President, I would like to inquire if there was in this case a dishonorable discharge and if an attempt is now being made by special act of Congress to remove such a record.

Mr. LOGAN. The record was made during the Spanish-American War. That is my recollection. I do not have the report before me.

Mr. WALSH of Massachusetts. I feel very strongly that if we are to remove the dishonorable discharge ban and change the veterans' law and allow all dishonorably discharged veterans to come in and get the benefit of veterans' laws, we ought to make it a general practice and have a general bill covering them all. If this dishonorable discharge came after the war during another enlistment, then I would be willing to join in removing it, assuming that his war record was good.

Mr. LOGAN. May I suggest to the Senator from Massachusetts that there is never a call of the Calendar that bills of this kind are not passed. The records are filled with them for years and years. The Senator from Massachusetts does not mean to say that he has just discovered that such bills are being passed? I remind him that such bills are passed on every call of the Calendar.

Mr. WALSH of Massachusetts. I have never, as a member of the Committee on Naval Affairs for years, known of any such bill to be passed removing a dishonorable discharge which was made a matter of record during the war. I have voted for and advocated and reported bills for the removal of a dishonorable discharge inflicted after the war where the record shows the man made an honorable record during the war and wanted the benefit extended to war veterans of that honorable record. But I have refused and I now refuse to permit a dishonorable record to be wiped out when made during the war. If there is evidence that the dishonorable record was incurred after the war following an honorable record during the war, that is another question. On a record of dishonorable discharge imposed during the war, I insist that the man shall not be given the same benefits as the honorably discharged man. If we make one exception, then we should except them all. How can we justify advocating the reduction of the benefits of honorably discharged veterans and adding dishonorably discharged veterans to the lists?

The PRESIDING OFFICER. Does the Senator from Massachusetts object?

Mr. WALSH of Massachusetts. I object.

The PRESIDING OFFICER. The bill goes over.

POSTHUMOUS AWARD TO GLENN H. CURTISS, DECEASED

The bill (H. R. 11930) authorizing the President to make a posthumous award of a distinguished-flying cross to Glenn H. Curtiss, deceased, and to present the same to Lua Curtiss, mother of the said Glenn H. Curtiss, deceased, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to make a posthumous award of a distinguished-flying cross to Glenn H. Curtiss for distinguished service in the development of American aviation. The distinguished-flying cross shall be presented to Lua Curtiss, mother of the said Glenn H. Curtiss, deceased.

Mr. ROBINSON of Arkansas. Mr. President, we have now finished the call of the printed calendar and I understand that other bills are being called up concerning which reports are not available. I shall object to the consideration of further bills for the reason that it seems to me manifest that Senators ought to have the opportunity of examining the reports.

NATIONAL BANKING ASSOCIATIONS

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 256) authorizing the Comptroller of the Currency to exercise with respect to national banking associations powers which State officials may have with respect to State banks, savings banks, and/or trust companies under State laws, which were, on page 1, line 6, to strike out "national banking associations" and insert "any national banking association;" on page 2, line 2, after the word "nothing" to strike out all down to and including "associations" in line 6, and insert "herein shall be construed to permit the establishment of branches of either National or State member banks or allow consolidation of either National or State member banks not allowed by existing laws," and on page 2, to strike out lines 14 and 15 and insert the following: "The powers herein conferred shall terminate six months from its approval by the President; but the President of the United States may extend its force by proclamation for an additional six months."

Mr. COUZENS. I move that the Senate concur in the House amendments.

The motion was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTIONS SIGNED

A message from the House of Representatives by Mr. Haligan, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled joint resolutions, and they were signed by the Vice President:

S. J. Res. 223. Joint resolution establishing the United States Georgia Bicentennial Commission, and for other purposes;

S. J. Res. 256. Joint resolution authorizing the Comptroller of the Currency to exercise with respect to national banking associations powers which State officials may have with respect to State banks, savings banks, and/or trust companies under State laws; and

H. J. Res. 583. Joint resolution to provide for a change of site of the Federal building to be constructed at Binghamton, N. Y.

APPROPRIATIONS FOR THE TREASURY AND POST OFFICE DEPARTMENTS

The PRESIDING OFFICER (Mr. Fess in the chair) laid before the Senate the action of the House of Representatives relative to certain amendments of the Senate to House bill 13520, the Treasury and Post Office Departments appropriation bill, which were previously laid before the Senate and read in full.

Mr. ODDIE. Mr. President, I advert again to the Treasury and Post Office Departments appropriation bill and move that the Senate disagree to the amendments of the House to the amendments of the Senate numbered 1, 14, 15, and 16; that it further insist upon its amendments in disagreement, being amendments Nos. 1 to 16, inclusive, and ask a further conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

Mr. BLACK. Mr. President, may I ask whether that is satisfactory to the Senator from Vermont [Mr. AUSTIN]?

Mr. AUSTIN. Mr. President, such arrangements have been made between the managers of the former conference and those who are interested in the amendments that we have no objection to the adoption of this motion.

The motion of Mr. ODDIE was agreed to, and the Presiding Officer (Mr. Fess in the chair) appointed Mr. ODDIE, Mr. SMOOT, Mr. BINGHAM, Mr. DICKINSON, Mr. KEYES, Mr. MOSES, Mr. GLASS, Mr. McKELLAR, Mr. BRATTON, Mr. BYRNES, and Mr. THOMAS of Oklahoma conferees on the part of the Senate at the further conference.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, ETC.—CONFERENCE REPORT

Mr. HALE. Mr. President, I submit the conference report on the bill making appropriations for the Departments of State and Justice, and for the Judiciary, and for the Departments of Commerce and Labor, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The Senator from Maine submits a conference report which will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14363) "making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1934, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 12, 15, 17, and 18.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 7, 8, 9, 10, and 16, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by such amendment, insert the following: "Convention relating to liquor traffic in Africa, \$55; in all, \$575,486"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: Restore the matter stricken out by such amendment and in the matter so restored, strike out the sum "\$13,195" and insert in lieu thereof the sum "\$8,500"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 11, 13, and 14.

FREDERICK HALE,
HENRY W. KEYES,
GEO. H. MOSES,
KENNETH McKELLAR,
CARL HAYDEN,

Managers on the part of the Senate.

W. B. OLIVER,
ANTHONY J. GRIFFIN,
CLARENCE CANNON,
MILTON W. SHREVE,
GEORGE HOLDEN TINKHAM,

Managers on the part of the House.

The PRESIDING OFFICER. The Chair understands the Senator from Maine to ask unanimous consent for the present consideration of the report?

Mr. HALE. I do.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. HALE. Mr. President, I now ask the Chair to lay before the Senate the action of the House on the amendments shown by the conference report to be in disagreement.

The PRESIDING OFFICER. The Chair lays before the Senate the action of the House of Representatives on the amendments referred to by the Senator from Maine, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES,
February 25, 1933.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 1, 11, and 14 to the bill (H. R. 14363) making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1934, and for other purposes, and concur therein.

That the House insist upon its disagreement to the amendment of the Senate No. 13.

Mr. HALE. I move that the Senate recede from its amendment No. 13.

Mr. LA FOLLETTE. Mr. President, what is the amendment from which it is proposed the Senate shall recede?

Mr. HALE. Mr. President, this is the item in regard to the construction of metal furniture in prisons. The House bill contained a provision that none of the appropriation should be used for this purpose. The Senate eliminated that provision. The House has refused to accept the Senate amendment, and I move that the Senate recede.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine.

The motion was agreed to.

CABINET OF PRESIDENT-ELECT ROOSEVELT

Mr. WHEELER. I ask unanimous consent to have inserted in the RECORD an article by Carlisle Barger, being a timely comment upon the Cabinet of President-elect Roosevelt, appearing in the Washington Herald of February 24, 1933.

There being no objection, the article was ordered printed in the RECORD, as follows:

[From the Washington Herald, February 24, 1933]

THE LISTENING POST
By Carlisle Barger

There will continue for some time, of course, to be disappointment over the Roosevelt Cabinet because it includes none of the "big" minds. Undoubtedly it has been the reflection of this disappointment in the stock market that has caused it to go down the past two or three days. Ah, those boys up there in what we affectionately term "the Street"—if you are really blasé and understand finance, you always say "the Street"—those boys know what is good for the country. They can detect the weakness in a set-up immediately.

For example, they had only to scan the Roosevelt Cabinet and perceive it was without a "big" mind and realize that the thing to do was to sell, not buy. When you contemplate the minds of these boys of the Street, the acuteness of their perception, the alertness of their processes, one is left utterly awed.

They have, though, been quite unfair in their criticism of Mr. Roosevelt's Cabinet. Their disappointment is easily understood. But for them to criticize is not to know what has gone on.

They overlook entirely in their criticism of the absence of "big" minds in the Cabinet the fact that none was available, that instead, all of the "big" minds are either under indictment, should be, or to say the least are in decided ill repute. Which is to say that the country has gotten an overdose of their big-mindedness.

To illustrate: My choice of a "big" mind for the Cabinet would have been Mr. Charley Mitchell, the head of the National City Bank. "For crying out loud," there is a man who has dealt in billions. Nothing cheap or small about him.

If that man isn't a "big" mind, then I don't know one. There is a man of conception, of execution, of conclusion. To add six naughts onto a deal meant not the slightest thing in the world to him.

When that fellow found he had \$20,000,000 or so of worthless bonds on his hands do you think he worried and threw up the sponge with the ejaculation: "Ye gawds, I am sunk"?

He did nothing of the kind. He organized another company to hold these bonds and sold the stock in that company. That, my friends, is a "big" mind's knowledge of finance.

Now, his appointment as Secretary of the Treasury would have been inspiring. Because the next Secretary of the Treasury must refund some ten billions or so. He could have done it in some way. Maybe he would have organized a holding company for the United States.

But it is to utterly misapprehend the situation to criticize Mr. Roosevelt for not naming him. Mr. Mitchell is utterly unavailable. It would unquestionably take a steamshovel to get him away from the enclosure of those high-priced, wise-looking lawyers, who sit with him at the hearings of the Senate Banking and Currency Committee.

If that isn't a treat for the sore eyes, I'll eat my hat. I would give a lot to be a cartoonist, a Kirby or a Talburt, for just the nonce.

Just at present Mr. Mitchell is not on the stand. Mr. Pecora, the energetic committee questioner, is plying one question after another into Mr. Baker, another head of the National City Bank.

Mr. Mitchell has retired temporarily to the spectators' row. There he sits, the personification of American rugged individualism. But now with an injured air. He has told without blushing, without shame, how he paid no income taxes, not even with his wealth which runs into the millions, in 1929 or '30 or '31—I forget just which one of the years. And the way he got out of it was simply to transfer some \$3,000,000 worth of securities to a member of the family for a brief period, a transaction by which, instead of showing an income to the Government, he was able to show a loss. There is no question that our incomes are drying up in this country.

And flanking the gentleman, this master of finance, this patriot, this builder, this Yankee ingenuity, is a parade of lawyers. The President is surrounded by Secret Service men. They never envelop him more than the lawyers are enveloping Mr. Mitchell.

The newspapermen say to one another: "They'll have Frank Hogan in the group to-morrow. The fire is getting hot."

What a picture it makes. The beady eyes, sitting as they might sit of Sundays in the Episcopal Church, the small and egg-shaped skulls, the receding hair, and the bald heads, all sitting there with their hands folded across their laps. The "big" minds. Roosevelt should certainly have had one in his Cabinet.

It is a pity that the late Senator Caraway is not here. I should like to see him now a member of the Harrison economics committee and have these birds come before him holding up their hands and adjuring: "We must have sound money."

And hear Caraway ask them: "How about sound stocks and sound sense?"

Talk about inflationists, Caraway was a deflationist—of "big" minds. I wish he were here.

CORRECTION IN LAW RELATIVE TO DISCRIMINATIONS IN CERTAIN LAND GRANTS

Mr. NYE. Mr. President, on February 14 last, the President approved a bill, which had been passed by the Senate and House, to remove existing discriminations incident to certain land grants and subject them to the same conditions that govern other land grants of their class.

The attention of the Committee on Public Lands has, by the Director of the Budget, been called to the fact that there is an error involving only a date which he would like to have corrected. The bill itself as it passed the Congress and as it has been approved by the President referred to another act, being the act of July 2, 1866, when it should refer to the act of July 27, 1866. To accomplish the correction which is sought, for the Public Lands Committee, I am reporting a joint resolution and ask unanimous consent for its immediate consideration.

The joint resolution (S. J. Res. 259) to amend the act entitled "An act to remove existing discriminations incident to certain land grants and to subject them to the same conditions that govern other land grants of their class," approved February 14, 1933, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the act entitled "An act to remove existing discriminations incident to certain land grants and to subject them to the same conditions that govern other land grants of their class," approved February 14, 1933, be, and the same is hereby, amended by striking out "July 2, 1866," where it occurs therein and inserting in lieu thereof "July 27, 1866."

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. KING. Mr. President, I have no objection to the consideration of the joint resolution, but I will ask the Senator if it has been unanimously reported by the committee?

Mr. NYE. It is by action of the committee that the resolution is reported.

Mr. KING. And what does the joint resolution seek to accomplish?

Mr. NYE. It is merely designed to correct a date that appears in the bill which the Congress has passed and which the President has approved very recently. It proposes to change a date from the second of a month to the twenty-seventh of the same month. It was merely an error in the drafting of the measure.

Mr. KING. It does not affect any right which the Government or any person has?

Mr. NYE. In no case.

Mr. KING. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT TO BANKRUPTCY ACT

The Senate resumed the consideration of the bill (H. R. 14359) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

Mr. WALSH of Massachusetts. Mr. President, I ask to have printed in the RECORD a memorandum prepared by a prominent lawyer discussing certain legal aspects of the bankruptcy bill pending before the Senate as the unfinished business. I ask that the memorandum may be printed and lie on the table.

There being no objection, the memorandum was ordered to be printed in the RECORD and to lie on the table, as follows:

MEMORANDUM ON THE PROPOSED AMENDMENT TO THE BANKRUPTCY ACT

I have before me a memorandum by Solicitor General Thacher relative to H. R. 14359, to amend the bankruptcy act. It is an exhaustive study of the bill now pending before the Congress of the United States, and I might add that it has passed the other House and is being considered by the Senate.

Digressing for a moment I want to refer to the decisions of the Supreme Court of the United States on this question. They are not numerous. Perhaps the first was *Sturgis v. Crowninshield* (decided in 1819 and reported in 4 Wheaton 122). It has no particular application to the question at hand, but is part of the history of bankruptcy legislation. It held in effect, in considering a bankruptcy statute of the State of New York, that the bankruptcy or insolvency law of a State can not discharge a debtor in that State from his previously incurred liability to pay, as the Constitution forbids the State to impair the obligations of a contract. The State law, under consideration in that case, was designed not only to liberate the debtor from his contractual liability but also from imprisonment. Four years later, however, the Supreme Court in *United States v. Wilson* (8 Wheaton 253) held that a State law releasing the debtor from the imprisonment penalty does not impair the obligations of future contracts. In 1827 in *Ogden v. Saunders* (12 Wheaton 213) they held that such a State law does not impair the obligations of future contracts nor could it have extraterritorial effect if the creditor lived outside the State unless the creditor had submitted himself to the jurisdiction of the State. I merely cite these cases to call the Senate's attention to the fact that that body should not be slow now to give the relief which bankruptcy laws were designed to give.

The first fundamental law of the land, the Articles of Confederation, did not deal with this subject. In the Constitutional Convention held in Virginia in 1787, to which was submitted the new Constitution for rejection or adoption, this and every other question was ably debated by Marshall, Madison, Randolph, and other great men of American history favoring adoption of the Constitution, while the opposition was voiced and led by Patrick Henry, America's first patriot perhaps, and certainly her greatest orator, ably assisted by Mason, who had declined to sign the Constitution, and others. When section 8 of Article I was reached, the debate was rather desultory, or at least, very little of it was reported by David Robertson, or the other shorthand reporters who assisted him. But they did get a ringing sentence of Henry's in reply to one of the other oratorical gladiators when Henry stated in effect that the courts of equity abrogated the obligations of contracts as a common practice and that they had been doing so for hundreds of years.

Congress was loath to adopt a bankruptcy law and failed to do so until April 4, 1800. This act was but short lived being repealed in 1803, and because of the absence of a national bankruptcy law the States were compelled to pass remedial legislation of that kind. In August, 1841, Congress again passed a bankruptcy act which was repealed in less than two years. On March 3, 1867, they once more enacted similar legislation which remained on the statute books until 1878. On July 1, 1898, a bankruptcy law was enacted which, with amendments, is still on the statute books and which the Senate is seeking to amend to-day.

This relief should be granted because the national bankruptcy act while on the statute books suspends, in effect, the bankruptcy laws of the States with reference to the same question. Therefore Congress should exercise its undoubted right to regulate the relationship between debtor and creditor. In *Kunzler v. Kohaus* (5 Hill 317), in the opinion announced by Justice Cowen, it is said: "Congress shall have the power to establish uniform laws on the subject of any person's general inability to pay his debts throughout the United States." This was his interpretation of the power granted to Congress with reference to bankruptcy legislation. And in *re Reiman* (7 Benjamin 455) there was considered an amendment to the bankruptcy act of 1867 which provided

for compositions "whether an adjudication in bankruptcy shall have been had or not," and the constitutionality of this amendment was upheld. These decisions are fully discussed in the brief of Solicitor General Thacher, which is in possession of every Senator, proving beyond peradventure the right of Congress to administer the remedy as set forth in the bill under consideration.

Now, as to the justice of it. It seems to me that this need no argument. As to the necessity for such legislation, "He who runs may read," and we all read of a desperate situation of debtors of every kind and character, and with one voice they are crying to us for relief. Opponents of this measure talk about the abrogation of contracts as though it is sacrosanct, but every student of the Bible—nay, every casual reader of the Bible—knows that the greatest lawgiver of which the Old Testament preserves a record made a provision for the release of debtors every seven years. In other words all obligations were canceled every seven years. Evidently Moses paid but little attention to this invention of the debtors and it makes its appearance now in the Senate under the guise of the holy of holies, that is to say, the impairment of the obligations of contracts.

There was argument in the legal tender cases that it was the purpose of the people to put an end to misuses and abuses of paper issued by the banking institutions of the different States which composed the confederation. This was answered by the provision of the making of "anything but gold and silver coin a tender in the payment of debts" stand in the Constitution not against the Nation but against the States. While probably the decisions finally were based on other grounds, yet these cases were argued on these issues. In other words, there can be no question but that the Congress of the United States has full authority to pass legislation not only to regulate the relationship between creditor and debtor but it has the absolute right to pass laws abrogating contracts.

The only inhibition in section 10, Article I, with reference to the abrogation of contracts is "No State shall . . . pass . . . any law impairing the obligations of contracts." And, of course, not even the most reactionary person in this country would claim that that places any restriction on the Congress of the United States with reference to contracts.

It is my judgment, although of course I would not advocate such a course, that so far as the organic law or any decision interpretative thereof the Congress of the United States, so long as there is due process—that is to say, so long as the parties are given a tribunal and reasonable time to present their case, in other words, have their day in court, can unquestionably abrogate contracts not even under the guise of bankruptcy laws so far as the people of the District of Columbia and the Territories are concerned. And I am not prepared to resist the statement made by some of my colleagues in private conversation that the Congress of the United States can, provided there is due process, pass legislation to abrogate contracts throughout the United States. But whether they can or not, we are confronted in the various States of the Union where the people have taken the law into their own hands and are in effect abrogating contracts, with a serious situation, so that the least that can be done is for the Senate to pass legislation of this character to give relief to the debtor and compel the creditor to be reasonable and readjust a contract made unconscionable by conditions over which neither debtor nor creditor had any control.

I have used the word "unconscionable." There is no lawyer of any general experience in practice who has not had contracts as sacred as any that were ever written abrogated by the court by the simple word "unconscionable." I might also suggest that contracts have been set aside and abrogated because it is said they are usurious. Is there a lawyer in the Senate of the United States who has not heard of the statute of limitations? Does it or does it not abrogate contracts? And what about the statute of frauds and perjuries? The Constitution of the United States does not place the inhibition on the States only with reference to written contracts but says "contracts." But what about the statute of frauds? It abrogates oral contracts and contracts where one person obligates to pay the debts of another. Is there any lawyer who is not familiar with that doctrine? Is there anyone who will say that that is not abrogation? I might make a solemn obligation with my neighbor to purchase his lot or house or farm, and when I call in a few days to get him to transfer it to me he can laugh in my face and tell me the contract was not in writing, and the courts will sustain him. Is this or is this not abrogation of contracts? Or, if I make a contract with a merchant or a broker which looks to the requirement of purchasing personal property, and if it should happen that it is of the value of more than \$50, he could laugh me to scorn and the courts would deny me a remedy because of the statute of frauds. But will any sane person say that this is not the abrogation of a contract? Other instances of legal fictions and devices to meet a special situation which human experience has found necessary might be cited, and that is what the Congress of the United States is up against now. The human experience which all debtors are up against now demand it, and it is my firm conviction that that situation should be met by the passing of this measure by the Senate.

Mr. McNARY obtained the floor.

Mr. ROBINSON of Arkansas. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Arkansas?

Mr. McNARY. I yield.

Mr. ROBINSON of Arkansas. Mr. President, some question arose yesterday as to what course should be taken respecting the bill that constitutes the unfinished business. Two sections of the bill, those sections relating to compositions for individuals and for farmers, were agreed to, and an amendment was presented by the Senator from Delaware [Mr. HASTINGS] having relationship to railroad reorganizations. I should like to have some discussion now as to the practicability of concluding the amendment of the Senator from Delaware. This session is rapidly drawing toward a close, and it is my opinion, after a somewhat careful study of the amendment proposed by the Senator from Delaware, that we ought to take action on it and incorporate it in the bill. I believe that it would be helpful and quite advantageous to do so. I know that if there is serious opposition to that course it will tend to result in the prevention of other legislation which ought to be taken up and acted upon.

I should like to have some expression on that point. It is my thought that if the Senate is not ready to proceed with the Hastings amendment to the bankruptcy bill we might lay that measure temporarily aside and take up the bill S. 5369, by Mr. HULL and Mr. WALCOTT, having relationship to the postponement of the foreclosure of mortgages for a period of two years, and for other purposes.

Mr. HASTINGS. Mr. President, I should like to say to the Senator from Arkansas that following the suggestion made to me yesterday by that Senator, while I was making an effort to explain this bill, I have told several Senators that, in my judgment, we would not take up these sections to-day—at least, I would not insist upon it to-day—so as to give Senators an opportunity over the week-end to examine thoroughly the railroad section and the corporate reorganization section in order that we might be able to take them up and dispose of them during the early part of the coming week.

Mr. ROBINSON of Arkansas. Mr. President, can the Senator supply information as to whether those Senators who expressed themselves yesterday as particularly desirous of making a study of the sections referred to will be ready to go on with them on Monday? I think we ought to avail ourselves of every opportunity to consider legislation that is recognized as of great importance.

Mr. HASTINGS. I am quite sure that the Senators who really desire seriously to consider the sections referred to will have an opportunity before Monday to consider them and ought to be willing at that time to take them up and discuss them. My thought is that, whatever is done to-day, we ought on Monday to consider the questions involved and see whether or not the Senate is going to incorporate either of those additional sections in the bill.

Mr. ROBINSON of Arkansas. Mr. President, I inquire, would the Senate be willing to lay aside temporarily the bankruptcy bill and proceed with the consideration for a time of the bill to which I have referred? I realize that it is late in the day but, in view of the very limited time that remains between now and the end of the session, I should like to have some action.

The PRESIDING OFFICER. The Senator from Arkansas asks unanimous consent temporarily to lay aside the unfinished business. Is there objection?

Mr. BORAH. Mr. President, I have no objection to laying aside temporarily the bankruptcy bill, with the distinct understanding that its consideration will be resumed on Monday.

The PRESIDING OFFICER. The Chair hears no objection, and the unfinished business is temporarily laid aside.

POSTPONEMENT OF MORTGAGE FORECLOSURES

Mr. ROBINSON of Arkansas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate bill 5639.

Mr. McNARY. Mr. President, I inquire is that the so-called Hull-Walcott bill?

Mr. BORAH. It is.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas that the Senate proceed to the consideration of Senate bill 5639?

There being no objection, the Senate proceeded to consider the bill (S. 5639) providing for loans or advances by the Reconstruction Finance Corporation for the purpose of securing the postponement of the foreclosure of certain mortgages for a period of two years, and for other purposes.

Mr. KING. Mr. President, is it the purpose to take this bill up for consideration to-night?

Mr. ROBINSON of Arkansas. It has already been taken up; we are considering it now.

Mr. KING. I did not so understand.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk proceeded to read the bill.

Mr. BORAH. Mr. President, are amendments now in order?

The PRESIDING OFFICER. The bill is being read. If there be no objection, the formal reading of the bill will be dispensed with and, without objection, amendments will be considered in order unless the full reading of the bill is demanded. The Chair hears no objection.

The bill (S. 5639) providing for loans or advances by the Reconstruction Finance Corporation for the purpose of securing the postponement of the foreclosure of certain mortgages for a period of two years, and for other purposes, is as follows:

Be it enacted, etc., That with a view to overcoming unprecedented panic conditions which seriously threaten the destruction of agriculture, and with a view to alleviating the suffering resulting from the foreclosure of mortgages on farm lands and on small homes, the Reconstruction Finance Corporation is authorized and directed to make loans or advances, at a rate of interest not to exceed 4 per cent per annum, through its regional agricultural credit corporations, or otherwise, in the amount of \$500,000,000, or so much thereof as may be necessary, to mortgagees for the purpose of securing the postponement for two years from the date of approval of this act of the foreclosure of farm mortgages, and of mortgages on homes occupied by their owners and of a value not exceeding \$8,000 as determined by the Reconstruction Finance Corporation, not including junior mortgages, on account of (1) default for more than six months in the payment of mortgage interest and principal due under the terms of the mortgage, and (2) unpaid delinquent taxes in arrears for more than 12 months, excluding interest and penalties: *Provided*, That during such 2-year period such mortgagees shall charge the mortgagors interest at a rate not exceeding 4 per cent per annum on the aggregate amount of such delinquent taxes and defaulted interest and principal with respect to which loans or advances are made to the mortgagees pursuant to this act.

SEC. 2. No such advance or loan shall be made unless the Reconstruction Finance Corporation is satisfied that the mortgagee has first protected his mortgage rights by paying accrued delinquent taxes for the mortgagor, as aforesaid, and that the mortgagor, after exercising ordinary diligence to meet accrued interest and principal payments, has defaulted thereon over a period of six months. If, in these circumstances and conditions, the mortgagor should execute and duly acknowledge a certificate setting out the facts as to such default in payment of interest and principal and delinquent taxes, his inability to pay the same, and the fact that the mortgagee had thereupon paid such delinquent taxes, in accordance with the terms of the mortgage, and that the amount so paid had become a part of the mortgage debt, the mortgagee may thereupon apply to and secure from said Reconstruction Finance Corporation an advance or loan in the aggregate amount of the delinquent taxes paid by such mortgagee and of the interest and principal due and unpaid on said mortgage for a period of more than six months; except that the amount so advanced or loaned by the corporation to any mortgagee on account of unpaid principal shall not exceed 5 per cent of the amount of the unpaid principal of his mortgage. Before any such advance or loan is made the mortgagee shall transfer the certificate aforesaid of the mortgagor to the Reconstruction Finance Corporation, shall assign his mortgage to the corporation, or furnish such other collateral as may be acceptable to the corporation, as security for such advance or loan, and shall agree to the satisfaction of the corporation that during such 2-year period he will not proceed against the mortgagor on account of default in the payment of interest or principal due under the terms of his mortgage and will not foreclose his mortgage unless the property covered by the mortgage is abandoned by the mortgagor or unless, in opinion of the corporation, such foreclosure is necessary for other reasons: *Provided*, That in the case of advances or loans by the corporation to the Federal land banks or joint-stock land banks, that part of each such advance or loan representing the interest and principal due and unpaid on any mortgage, shall be secured by an assignment to the corporation of the bank's lien under the mortgage with respect to which such advance or loan is made, and the lien so transferred shall be subordinate to the existing lien of the

bank for the balance due the bank under such mortgage; but the corporation may require the bank to furnish collateral of the character described in subsection (b) of section 5 of this act as security for such loan or advance, if such collateral is available to the bank. The Reconstruction Finance Corporation shall thereupon make the advance or loan in the aggregate amount of the delinquent taxes and the defaulted interest and principal payments as aforesaid.

Except as herein otherwise specifically provided, such loans or advances shall be made on such terms and conditions as the Reconstruction Finance Corporation may prescribe, but no such loan or advance shall be made until the Reconstruction Finance Corporation is satisfied that all amounts so loaned or advanced shall be used solely for the purposes herein provided.

SEC. 3. As used in this act—

(a) The term "mortgagee" includes any individual, trustee, executor, administrator, receiver, partnership, association, or corporation holding a first mortgage (1) on farm lands, as such lands are defined by regulations of the Federal Farm Loan Board made pursuant to the Federal farm loan act, as amended, or (2) on a home of the character specified in section 1 of this act; and

(b) The term "first mortgage" includes such classes of first liens on farm lands or on homes, and the credit instruments secured thereby, as shall be approved by the Reconstruction Finance Corporation.

SEC. 4. Any receiver appointed by the Federal Farm Loan Board pursuant to section 29 of the Federal farm loan act, as amended, is authorized, for the purposes of paying taxes on farm real estate owned by the bank and for the further purposes specified in section 1 of this act, with the approval of the Federal Farm Loan Board, to borrow from the Reconstruction Finance Corporation and to issue receiver's certificates as security for any advance or loan received from the corporation under this act.

SEC. 5. (a) The Reconstruction Finance Corporation is further authorized and directed to make available out of the funds of the corporation the sum of \$100,000,000 to be used, for a period of not exceeding two years from the date of approval of this act, to make loans to the joint-stock land banks organized and doing business under the Federal farm loan act, as amended, at an interest rate not to exceed 4 per cent per annum, payable annually. Such loans shall be made upon application therefor by such banks and upon compliance with the requirements of this section. The amount which may be loaned hereunder to any such bank shall not exceed an amount having the same proportion to the said \$100,000,000 as the mortgages of such bank outstanding on the date of approval of this act bear to the total mortgages of all the joint-stock land banks outstanding on such date.

(b) Any joint-stock land bank applying for a loan under this section shall deliver to the Reconstruction Finance Corporation as collateral security therefor first mortgages or purchase-money mortgages on farm lands, first mortgages on farm real estate owned by the bank in fee simple, or such other collateral as may be available to said bank, including sales contracts and sheriff's certificates on farm lands. The real estate upon which such collateral is based shall be appraised by appraisers appointed by the Federal Farm Loan Board, and the borrowing bank shall be entitled to borrow not to exceed 60 per cent of the normal value of such real estate as determined by such appraisal. Fees for such appraisals shall be paid by the applicant banks in such amounts as may be fixed by the Federal Farm Loan Board. No such loan shall be made until the applicant bank, under regulations to be prescribed by the Reconstruction Finance Corporation, (1) shall have agreed to grant to each borrower then indebted to the bank under the terms of a first mortgage a reduction to 4 per cent per annum in the rate of interest specified in such mortgage, beginning at his next regular installment date, for a period of two years from the date of approval of this act, (2) shall have agreed to the satisfaction of the corporation that during such 2-year period the bank will not proceed against the mortgagor on account of default in the payment of interest or principal due under the terms of its mortgage and will not foreclose its mortgage unless the property covered by such mortgage is abandoned by the mortgagor or unless, in the opinion of the corporation, such foreclosure is necessary for other reasons, and (3) shall have agreed that the farm-loan bonds issued by the bank will be accepted at their face value in payment of any indebtedness due the bank under the terms of a first mortgage held by the bank.

SEC. 6. The provisions of this act shall not apply with respect to any farm lands unless the interest of the mortgagor therein was acquired before January 1, 1931, and unless the first mortgage on such lands with respect to which a loan or advance is applied for under this act was executed before January 1, 1931.

SEC. 7. The Reconstruction Finance Corporation is authorized to make such rules and regulations as may be necessary to carry out the purposes of this act and to make the relief contemplated by this act immediately available.

SEC. 8. The Federal Farm Loan Board shall cooperate with the Reconstruction Finance Corporation to the fullest practicable extent in administering the provisions of this act, and shall make available to the corporation its services and facilities in order to avoid preventable expense or duplication of effort.

SEC. 9. Any person who makes any material false representation for the purpose of obtaining any loan or advance under this act, or in assisting in obtaining any such loan or advance, shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than six months, or both.

Mr. BORAH. Mr. President, on page 1, line 9, I move to strike out "4 per centum" and insert "3 per centum."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, line 9, before the words "per centum," it is proposed to strike out the numeral "4" and insert the numeral "3," so as to read:

At a rate of interest not to exceed 3 per centum per annum.

Mr. ROBINSON of Arkansas. Mr. President, I do not know whether any member of the committee desires to resist that amendment or not. Of course, everyone would like to see the rate made as low as it is possible to make it without injustice to the credit of the Government of the United States; but this rate has been pretty carefully considered, I am informed, by the Committee on Banking and Currency. It represents a substantial reduction in the rates that are now being charged.

I do not intend to resist the amendment of the Senator from Idaho if the members of the Committee on Banking and Currency think it is all right.

Mr. BORAH. Mr. President, when we take into consideration the interest which the mortgagors will be paying upon other obligations which this bill is designed to help them carry, it will be practically impossible for them to get any relief out of this situation. I think, in view of the condition that exists, the Government can afford to make the loan at 3 per cent. I have not talked with the members of the committee, but I have talked with people who are interested in the subject, and I believe that 3 per cent will protect the Government sufficiently. It will not enable it to make any money but it will protect it, and that is all that ought to be done.

Mr. ROBINSON of Arkansas. Of course, the Government does not wish to make money, or at least I do not wish that the Government shall make money out of these transactions, but—

Mr. FLETCHER. It is costing the Government 3½ per cent now.

Mr. ROBINSON of Arkansas. The maximum rate carried is 4 per cent, and, as stated by the Senator from Florida, the rate which the Government is now paying is 3½ per cent. I do not feel that we ought to put in the bill a rate of interest that will make it certain that the Government will lose money by the legislation.

Mr. BARKLEY. Mr. President, if the Senator will yield there, I will state to the Senators from Idaho and Arkansas that when this bill originally was introduced it carried a rate of 3½ per cent.

Mr. ROBINSON of Arkansas. That is right.

Mr. BARKLEY. It was represented to the committee that the Reconstruction Finance Corporation, through which this money is to be loaned, is now paying 3½ per cent for money, and the margin of one-half of 1 per cent simply allows something for administration.

Personally I should like to see the Senator's amendment adopted; but to fix a 3 per cent rate for this money will mean that there will be a loss of at least one-half of 1 per cent in the transactions.

Mr. BORAH. I do not think so.

Mr. BARKLEY. Well, we had the word of the members of the Reconstruction Finance Corporation, which will have charge of the transactions, that that was the case, and we relied upon them. I think, as a matter of fact, that that is what is happening.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. BORAH. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I know nothing about this bill. I have had no opportunity to read it. Would it be amiss to ask some Senator who is familiar with the bill to make a brief statement, setting forth the principal things which the bill provides, and what it seeks to accomplish?

Mr. REED. Mr. President, will the Senator from Idaho yield to me at that point?

Mr. BORAH. I yield.

Mr. REED. It seems to me that it is highly unfair to the Senate to ask it to proceed here with both of the authors of the bill out of the Chamber, and with most of the Senators not having the faintest suspicion that we are working on a bill of this magnitude.

This bill appropriates \$500,000,000 for a totally new experiment in government. Perhaps it is wise. I do not know. I have not had time even to read the bill. I think the least we can do is to give other Senators a chance to know what is going on. Therefore, if the Senator will yield for that purpose, I will suggest the absence of a quorum.

Mr. McNARY. Mr. President, will the Senator withhold that suggestion for a moment?

Mr. REED. I withhold it.

Mr. McNARY. As far as I could oppose action this afternoon, I should exercise that privilege in regard to the adoption of any amendment. I thought the Senator from Arkansas probably would take advantage of the opportunity to explain the bill to the Senate, in order that the Members might be thinking of it between now and the time when it comes up some day next week, if it comes up at all. I do not think anyone desires any action to-night on the bill, or any amendment that may be offered or pending thereto.

If the Senator from Arkansas desires to make a statement, I think we would be glad to hear him. Otherwise I think, exactly as the Senator from Pennsylvania has said, that we should recess until 11 o'clock on Monday.

Mr. ROBINSON of Arkansas. Mr. President, I have no disposition to make a statement for the mere purpose of consuming time. This bill has been before the Senate for several days. It is a matter of pressing importance. I can make a statement, but—

Mr. BORAH. Mr. President, let me ask the Senator one question before he starts on the statement.

Mr. ROBINSON of Arkansas. Certainly.

Mr. BORAH. There is an exceedingly important provision on page 7 in which Senators who are not here are interested. If it is going to be contested, I shall have to urge that the bill go over. Otherwise, I shall not. I refer to clause (3) on page 7.

Mr. FLETCHER. Beginning in line 19?

Mr. BORAH. Yes; in line 19. It reads:

and (3) shall have agreed that the farm-loan bonds issued by the bank will be accepted at their face value in payment of any indebtedness due the bank under the terms of a first mortgage held by the bank.

Mr. ROBINSON of Arkansas. Mr. President, of course that provision will be contested. In my view of the matter the provision is plainly unconstitutional, and would have the effect of putting every joint-stock land bank into receivership in the immediate or early future.

I have no disposition to crowd this measure unduly if Senators wish to take a recess. It is late, as I said in the beginning. If some other Senator does not do so, I shall move to strike that language from the bill; and I shall want to be heard on the motion if the provision is to be seriously insisted upon. If the Senator wishes the matter to go over until Monday, or until it can be taken up, I shall not object to doing that.

I had this thought:

There is an admirable statement, fully explaining the general provisions of the bill, in the report submitted by the authors of the bill. Everyone knows that the original author of the bill, the Senator from Tennessee [Mr. HULL], is preparing to leave the Senate to take the office of Secretary of State, is now engaged in preparation for his labors there, and will not return to the Senate. The Senator from Connecticut [Mr. WALCOTT], who joined with him in the authorship and report of the bill, happens to be temporarily absent from the Chamber.

It was my thought that with conditions as they are, with riots occurring at many of the county seats where foreclosures are attempted and where tax sales are being carried out, where force is being used to prevent foreclosures,

if we are going to do anything about it, we ought to do it before the end of this session.

Mr. BORAH. I agree with the Senator.

Mr. ROBINSON of Arkansas. We ought to take action on it, and we ought not to justify ourselves in failing to act merely because not every Senator here has studied the bill.

We all realize that there are thousands and thousands of bills introduced in both Houses of Congress, and no Senator ever familiarizes himself with all of them. What actually happens is that he makes a study of the subjects in which he is especially interested and the bills that he thinks are of primary and of especial importance.

If this bill is to be disposed of in time to receive consideration by the House of Representatives, some action ought to be taken on it, and there ought not to be any great controversy growing out of this proposition.

I realize fully that if the Senate does not wish to act on the bill, any one Senator here can prevent action. I realize that I am not in a position to insist upon the passage of the measure this afternoon. I do think, however, that it is rather a simple matter.

The purpose is, as explained in the committee report, which is merely one and one-half printed pages, to provide a fund from the credit resources of the Reconstruction Finance Corporation out of which loans may be made to mortgagees holding farm mortgages for the purpose of causing a suspension of foreclosures and for the purpose of causing a reduction in the interest rates that are being charged to the mortgagors.

There are other provisions in the bill which contemplate that this suspension of foreclosures shall be for a period of two years, the thought being that in the meantime and before the expiration of the two years the Congress will have the opportunity to formulate and enact permanent legislation looking to the refinancing of farm mortgages on a basis that will enable the farm owners to save their properties or at least will enable many of them to accomplish that result.

The provision that has been referred to by the Senator from Idaho is that joint-stock land banks shall be required to accept bonds of the bank at their face value in payment of farm mortgage indebtedness due the bank. The point is that these bonds on the market are worth from 20 to 50 cents on the dollar. The contracts are payable in legal tender. To require the banks to accept 20 or 30 cents on the dollar in payment of the indebtedness due them, as anyone can see, will result in the immediate insolvency of every joint-stock land bank in the United States and the consequent foreclosure of thousands of farm mortgages.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. Certainly I yield.

Mr. COUZENS. I do not quite catch the thought of the Senator.

Mr. ROBINSON of Arkansas. These bonds have not matured. They are not due for quite a long period. What is it that the Senator does not catch?

Mr. COUZENS. I do not quite catch the point as to how it would put the joint-stock land banks into bankruptcy, because obviously they would not have to take the bonds until they matured.

Mr. ROBINSON of Arkansas. But that is just exactly where the Senator is wrong. The requirement of the provision is that they must be accepted at their face value in payment of indebtedness due the bank.

Mr. COUZENS. Yes.

Mr. ROBINSON of Arkansas. The bonds have not matured. That is one of the reasons why I say that it would be an invalid provision of law.

Mr. COUZENS. But certainly there would be no objection to surrendering them for payment when they were due, would there? In other words, that provision might need an amendment so that the bonds could not be submitted for payment until they had matured.

Mr. BORAH. Mr. President, this amendment was put in by the unanimous vote of the committee.

Mr. ROBINSON of Arkansas. Oh, no, no! The Senator either is misinformed or does not understand the true situation.

Mr. BORAH. I am reading from the report.

Mr. ROBINSON of Arkansas. The amendment was put in by a majority of 1, as stated by the chairman of the committee.

Mr. BORAH. I was misinformed, then.

Mr. ROBINSON of Arkansas. Of course, I can not help that.

Mr. BORAH. I talked with one of the authors of the bill, and I am now reading from the report. It says:

At the meeting of the full committee it was suggested as an amendment that, in addition to these two requirements, a third requirement be added as follows:

"and (3) shall have agreed that the farm-loan bonds issued by the bank will be accepted at their face value in payment of any indebtedness due the bank under the terms of a first mortgage held by the bank."

Mr. ROBINSON of Arkansas. There is no statement there that it was a unanimous report.

Mr. BORAH. No; and there is no statement that it was a majority report.

Mr. ROBINSON of Arkansas. No; but every report is a majority report unless it is otherwise stated. That is the way committees report; and the chairman of the committee states to me now—he is present—that the vote was by a majority of 1.

Mr. BORAH. Of course, I accept his statement.

Mr. ROBINSON of Arkansas. I undertake to say that the Congress can not require anyone to accept payment of an obligation, which by law is payable in legal tender, in securities or paper or property worth 20 to 30 cents on the dollar. It constitutes a taking of property without due process of law.

Mr. BROOKHART. Mr. President—

Mr. BORAH. As I said a moment ago, if the matter is to be resisted, I will not press it to-night.

Mr. ROBINSON of Arkansas. The matter is to be resisted. The Senator need not doubt that.

Mr. BORAH. Then the Senator from Idaho would like some time to present it.

Mr. BROOKHART. Mr. President, regarding the statement just made by the Senator from Arkansas, this bill provides that the Reconstruction Finance Corporation may make a \$100,000,000 loan to these joint-stock land banks, but it provides as a condition that before they make such loan they shall agree to permit the farmer to pay his mortgage in the bonds of the bank. There is no question of constitutionality about it. They do not get the loan unless they agree to this.

Under the law as it stands now the banks have the right to accept these bonds if they want to at any time in the payment of their mortgages, but instead of following that policy they are foreclosing the mortgages, they are selling the farm lands at a low price, and have done more in the State of Iowa to beat down land values than any other foreclosures in the State. Then they have taken advantage of the low prices and have bought the bonds at 35 or 40 cents on the dollar and balanced their books.

If the Government of the United States is now to come in and relieve them by a \$100,000,000 loan, it is only fair that they should require these banks to give the farmers the benefit of those depreciated bonds, and they will not go into receiverships, either.

Mr. LONG. Mr. President, will the Senator from Arkansas yield?

Mr. ROBINSON of Arkansas. I yield.

Mr. LONG. I just wanted to ask the Senator from Iowa a question. I understand that these bonds are selling for from 30 to 35 cents on the dollar.

Mr. BROOKHART. I think they average 40 cents for the joint-stock land banks of the country. Some of them are down to 20 cents.

Mr. LONG. If these people do not get the payments back in money, are they going to be able to continue in business?

Mr. ROBINSON of Arkansas. Certainly they would not be able to operate.

Mr. BROOKHART. They could get a loan of \$100,000,000 under this proposal.

Mr. LONG. I know that, but take any bank, take a Federal reserve bank. Some of the bank stocks are selling for 10 or 15 cents on the dollar. Suppose they could pay loans at the bank to-day in those stocks or bonds. What I was wondering about was what they would have to operate on.

Mr. BROOKHART. They would have their obligations canceled, and the books would balance just as well that way, with the farmer paying, as in any other way.

Mr. ROBINSON of Arkansas. The point is, the bonds are not due.

Mr. LONG. How long are they to run?

Mr. ROBINSON of Arkansas. Most of them are amortized over a period of 34 years, and this proposal is to take a bond that is amortized over a period of 34 years and apply it on an indebtedness that is now due. The proposal is so unreasonable that I can not understand how any lawyer would regard it as consistent with the fundamental principles of justice.

The Senator from Iowa has referred to the fact that this provision is coupled with a plan for a loan, and that it is one of the conditions on which a loan may be made. There are other considerations I shall hereafter discuss in connection with the matter, which I think make it evident that, notwithstanding all that the Senator from Iowa has said, were true, the provision would still be held invalid by any court in the United States. How can a bank, as suggested by the Senator from Louisiana, borrow money at 4 per cent, and accept in payment of its obligations property valued at 20 to 30 cents on the dollar?

Mr. BROOKHART. If the Senator please, that same property is its own bonds, valued at 100 cents on the dollar.

Mr. ROBINSON of Arkansas. That makes not the slightest difference.

Mr. BROOKHART. It makes a difference on the book accounts. It balances the books all right.

Mr. LONG. Mr. President, if the Senator from Arkansas will permit me—

Mr. ROBINSON of Arkansas. Certainly.

Mr. LONG. About how many of these bonds are out—about ten billion?

Mr. ROBINSON of Arkansas. Oh, no. There are outstanding about \$497,000,000 of joint-stock land bank bonds.

Mr. LONG. Practically \$500,000,000. My friend, the Senator from Oregon, was responsible for me asking a very rash question.

Mr. McNARY. Mr. President, the Senator asked me the outstanding indebtedness on farms.

Mr. LONG. I beg the Senator's pardon.

Mr. ROBINSON of Arkansas. The Senator from Louisiana was speaking of the joint-stock land bank bonds.

Mr. LONG. It is very easy to see that if there is a loan of \$100,000,000—is that what the bill calls for?

Mr. BROOKHART. Yes.

Mr. LONG. It is impossible for a \$500,000,000 corporation to preserve its liquidity with a loan of \$100,000,000.

Mr. BROOKHART. This \$100,000,000 is not all they get. They get all the farmers raise besides, in interest.

Mr. ROBINSON of Arkansas. Mr. President, here is another proposition which ought to appeal to any fair-minded person. We realize that the farmer who is in default, who can not pay the taxes on his land, and can not pay the fifty or one hundred or two hundred dollar installments that are due, is not in position to buy joint-stock land bank bonds, and the inevitable result of this provision would be to encourage and stimulate speculation in the bonds of the joint-stock land banks, to the detriment and ruin of the borrowers and of the banks.

Who, with little cash money, knowing that he could sell something or use something worth 20 cents on the market for \$1, would not be willing to put his money into those bonds? Inevitably, the speculators would buy up the bonds;

and if any farmer got the benefit, he would pay tribute to the speculators.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I yield.

Mr. GEORGE. What difference does it make to the farmer whether he pays it to the speculator or to the bank?

Mr. ROBINSON of Arkansas. The difference is this: The bank would be wrecked for the benefit of the speculator, and to the joint detriment of the farmer and the bank.

Mr. GEORGE. Mr. President, I was not asking about the benefit to others; I said, what difference does it make to the farmer if he is going to have to pay a hundred cents on the dollar on a mortgage, when the bonds issued on the mortgage can be bought in by the bank for 35 cents on the dollar?

I think the Senator from Arkansas is overlooking the fact that if the people of the United States, all of them, are to lend their credit to the joint-stock land banks, the joint-stock land banks then ought to be willing to cancel their indebtedness against the farmer.

Mr. ROBINSON of Arkansas. Mr. President, the proposal is that the joint-stock land banks shall give the farmers the advantage of the reduced rate of interest. If we require the joint-stock land banks to liquidate immediately obligations which will not be due for 30 or 34 years, we will inevitably destroy them, we will put them into receiverships, we will make them insolvent.

Mr. REED. Mr. President, will the Senator yield to me?

Mr. ROBINSON of Arkansas. I yield.

Mr. REED. Does it not come down to this: The farmer who is flat broke, so many of them are, will not be able to buy bonds with which to discharge his debt; the farmer who is not flat broke, who still has some resources, will be able to buy the bonds and turn them in to get rid of his mortgage?

Mr. ROBINSON of Arkansas. Certainly.

Mr. REED. The result of that is that the farmer who is not able to pay interest does not clean up his mortgage, but he is not paying anything into the bank. The farmer who is able to muster the cash, and, therefore, is the only source of cash receipts for the joint-stock land bank, buys the bonds and pays off his mortgage.

Mr. ROBINSON of Arkansas. Surely.

Mr. REED. We would shut off all cash receipts of the joint-stock land banks by the adoption of this expedient.

Mr. ROBINSON of Arkansas. There is no doubt but that the enactment of the proposal would render every joint-stock land bank in the system insolvent.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7716) to amend the radio act of 1927, approved February 23, 1927, as amended (U. S. C., Supp. V, title 47, ch. 4), and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14363) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1934, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 1, 11, and 14 to the said bill, and concurred therein, and that the House further insisted upon its disagreement to the amendment of the Senate numbered 13 to the bill.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

Mr. VANDENBERG, from the Committee on Enrolled Bills, reported that on to-day, February 25, 1933, that committee presented to the President of the United States the following enrolled bills and joint resolutions:

S. 88. An act to authorize the Postmaster General to investigate the conditions of the lease of the post-office garage in Boston, Mass., and to readjust the terms thereof;

S. 466. An act for the relief of the Allegheny Forging Co.;

S. 1044. An act authorizing the issuance to Cassie E. Howard of a patent for certain lands;

S. 2148. An act for the relief of Clarence R. Killion;

S. 2259. An act for the relief of Mathie Belsvig;

S. 4286. An act to authorize credit in the disbursing account of Donna M. Davis;

S. 4287. An act for the relief of Harold W. Merrin;

S. 4327. An act for the relief of Lizzie Pittman;

S. J. Res. 223. Joint resolution establishing the United States Georgia Bicentennial Commission, and for other purposes; and

S. J. Res. 256. Joint resolution authorizing the Comptroller of the Currency to exercise with respect to national banking associations powers which State officials may have with respect to State banks, savings banks, and/or trust companies under State laws.

RECESS

Mr. McNARY. Mr. President, I move that the Senate take a recess until 11 o'clock Monday.

The motion was agreed to; and the Senate (at 4 o'clock and 55 minutes p. m.) took a recess until Monday, February 27, 1933, at 11 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 25, 1933

PUBLIC HEALTH SERVICE

To be assistant surgeons

Victor H. Haas.	Ralph R. Braund.
Clifton K. Himmelsbach.	Vernon A. Gotcher.
Kenneth E. Gamm.	Seymour D. Vestermark.
John W. Oliphant.	Hollis U. Maness.

To be assistant dental surgeons

Ray P. Breaux.
Joseph J. Dunlay.

To be sanitary engineers

Arthur L. Dopmeyer.	Arthur P. Miller.
Edmund C. Sullivan.	Frederic J. Moss.

To be surgeons

Walter G. Nelson.	Frank V. Meriwether.
Calvin C. Applewhite.	Albert E. Russell.
Roy E. Bodet.	Ralph D. Lillie.

To be senior surgeon

Grover A. Kempf.

To be medical director

Friench Simpson.

To be assistant surgeons

Walter W. Hammond, jr.	Leroy E. Burney.
Harold L. Lawrence.	Charles R. Mallory.

To be passed assistant surgeons

Harold D. Lyman.
Frederick W. Kratz.

To be assistant surgeons

Bert R. Boone.	Cassius J. Van Slyke.
Don S. Cameron.	Oliver C. Williams.
C. Benjamin Spencer.	

To be assistant dental surgeon

Walter J. Pelton.

To be assistant sanitary engineer

Joseph M. Dalla Valle.